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TERRY E. BRANSTAD, President of the Senate

DELWYN STROMER, Speaker of the House

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STATE OF IOWA
Des Moines

SIXTY-NINTH GENERAL ASSEMBLY

1981 Regular Session

OFFICERS OF THE SENATE

TERRY E. BRANSTAD, <i>President</i>	Lake Mills
DICK RAMSEY, <i>President Pro Tempore</i>	Osceola
CALVIN O. HULTMAN, <i>Majority Floor Leader</i>	Red Oak
EDGAR H. HOLDEN, <i>Assistant Majority Floor Leader</i>	Davenport
JOHN S. MURRAY, <i>Assistant Majority Floor Leader</i>	Ames
JOHN N. NYSTROM, <i>Assistant Majority Floor Leader</i>	Boone
LOWELL L. JUNKINS, <i>Minority Floor Leader</i>	Montrose
PATRICK J. DELUHERY, <i>Minority Floor Leader</i>	Davenport
C. W. BILL HUTCHINS, <i>Assistant Minority Floor Leader</i>	Guthrie Center
LINDA HOWARTH MACKAY, <i>Secretary of the Senate</i>	Des Moines
K. MARIE THAYER, <i>Assistant Secretary of the Senate</i>	Ankeny
JERRY MATHIASSEN, <i>Administrative Assistant to</i> <i>Lieutenant Governor</i>	Des Moines
GRACE COPLEY, <i>Confidential Secretary to</i> <i>Lieutenant Governor</i>	Des Moines
LISA THOMPSON, <i>Legal Counsel</i>	Altoona
MARY ANN ABBOTT, <i>Finance Clerk</i>	Des Moines
CAROLE (C.J.) KELLY, <i>Journal Editor</i>	Altoona
MAXINE E. GUNTON, <i>Chief Indexer</i>	Des Moines
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G. KAY BOLTON, <i>Administrative Assistant to</i> <i>Minority Leader</i>	West Des Moines
RAND M. FISHER, <i>Majority Caucus Staff Director</i>	Des Moines
BILL MALONEY, <i>Minority Caucus Staff Director</i>	Des Moines
PETER CONIGLIO, <i>Majority Caucus Research Analyst</i>	Ames

OFFICERS OF THE SENATE—1981 REGULAR SESSION—Continued iii

SUSAN JOHNSON, <i>Majority Caucus Research Analyst</i>	West Des Moines
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JULE THORSEN, <i>Majority Caucus Research Analyst</i>	Des Moines
KIBBI BRYANT, <i>Minority Caucus Research Analyst</i>	Des Moines
JOHN FREW, <i>Minority Caucus Research Analyst</i>	Des Moines
GREGORY S. NICHOLS, <i>Minority Caucus Research Analyst</i>	Des Moines
REBECCA ROORDA, <i>Minority Caucus Research Analyst</i>	West Des Moines
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MARY BUBAN, <i>Journal Compositor</i>	Des Moines
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MARJORIE C. WALLER, <i>Secretary to Majority Caucus Staff</i>	Des Moines
SUSAN HUTCHISON, <i>Bill Clerk</i>	Des Moines
FAYE FRITZJUNKER, <i>Assistant Bill Clerk</i>	West Des Moines
ROY W. NELSON, <i>Sergeant-at-Arms</i>	Des Moines
B.W. (Bud) RULON, <i>Assistant Sergeant-at-Arms</i>	Des Moines
RAY J. PROSPERI, <i>Chief Doorkeeper</i>	Des Moines
FRANCIS J. (Bud) BURNS, <i>Doorkeeper</i>	Des Moines
CATHERINE L. DE HECK, <i>Doorkeeper</i>	Des Moines
JACK LEVINE, <i>Doorkeeper</i>	Des Moines

iv OFFICERS OF THE SENATE—1981 REGULAR SESSION—Continued

FRANK J. MURPHY, <i>Doorkeeper</i>	Des Moines
CHARLES B. MURRAY, <i>Doorkeeper</i>	Des Moines
BETTY LAWLER, <i>Switchboard Operator</i>	Des Moines
BETTY SCHWENGELS, <i>Switchboard Operator</i>	Fairfield
KERMIT HAUN, <i>Postmaster</i>	Des Moines
JAMES M. SULLIVAN, <i>Porter</i>	Des Moines

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

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ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

ROBERT D. RAY, <i>Governor</i>	Des Moines
TERRY E. BRANSTAD, <i>Lieutenant Governor</i>	Lake Mills
MARY JANE ODELL, <i>Secretary of State</i>	Des Moines
RICHARD D. JOHNSON, <i>Auditor of State</i>	Sheldahl
MAURICE E. BARINGER, <i>Treasurer of State</i>	West Des Moines
ROBERT H. LOUNSBERRY, <i>Secretary of Agriculture</i>	McCallsburg
TOM MILLER, <i>Attorney General</i>	McGregor

JUSTICES OF THE IOWA SUPREME COURT

W. W. REYNOLDSON, <i>Chief Justice</i>	Osceola
ROBERT G. ALLBEE, <i>Justice</i>	Des Moines
K. DAVID HARRIS, <i>Justice</i>	Jefferson
J. L. LARSON, <i>Justice</i>	Harlan
CLAY LeGRAND, <i>Justice</i>	LeClaire
MARK McCORMICK, <i>Justice</i>	Des Moines
ARTHUR A. McGIVERIN, <i>Justice</i>	Ottumwa
LOUIS SCHULTZ, <i>Justice</i>	Iowa City
HARVEY UHLENHOPP, <i>Justice</i>	Hampton

IOWA COURT OF APPEALS JUDGES

LEO OXBERGER, <i>Chief Judge</i>	St. Charles
JAMES H. CARTER, <i>Judge</i>	Cedar Rapids
ALLEN L. DONIELSON, <i>Judge</i>	Des Moines
JANET A. JOHNSON, <i>Judge</i>	Des Moines
BRUCE M. SNELL, JR., <i>Judge</i>	Ida Grove

MEMBERS OF THE SENATE
SIXTY-NINTH GENERAL ASSEMBLY
1981 REGULAR SESSION

TED ANDERSON

Address Waterloo
Age 37
Occupation Factory Worker
Senatorial District 18—Black Hawk
Former Legislative Service None

GARY L. BAUGHER

Address Ankeny
Age 38
Occupation Mobile Home Park Owner—Sales
Senatorial District 31—Polk
Former Legislative Service 68 (2nd)*

STEPHEN W. BISENIUS

Address Cascade
Age 33
Occupation Realtor
Senatorial District 11—Dubuque, Delaware, Jackson, Jones
Former Legislative Service 67, 67X, 68

JAMES E. BRILES

Address Corning
Age 54
Occupation Auctioneer, Real Estate
Senatorial District 48—Adams, Adair, Cass, Guthrie, Montgomery, Page, Ringgold, Taylor, Union
Former Legislative Service 56, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X, 68

JOE BROWN

Address Montezuma
Age 29
Occupation State Senator
Senatorial District 35—Poweshiek, Jasper, Mahaska, Marion, Polk, Warren
Former Legislative Service 68

CLARENCE S. CARNEY

Address Sioux City
Age 55
Occupation Utility Executive
Senatorial District 25—Woodbury, Cherokee, Plymouth
Former Legislative Service 68

BOB CARR

Address Dubuque
Age 42
Occupation Securities Broker
Senatorial District 10—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68

*(2nd) Denotes 1980 Regular Session

**MEMBERS OF THE SENATE—69TH GENERAL ASSEMBLY
1981 REGULAR SESSION—Continued**

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C. JOSEPH COLEMAN

Address Clare
 Age 57
 Occupation Farmer, Businessman
 Senatorial District 23—Webster, Humboldt
 Former Legislative Service 57, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X, 68

RICHARD COMITO

Address Waterloo
 Age 41
 Occupation Pharmacist
 Senatorial District 17—Black Hawk
 Former Legislative Service 68

ROLF V. CRAFT

Address Decorah
 Age 43
 Occupation Farmer, Teacher
 Senatorial District 8—Winneshek, Bremer, Chickasaw, Fayette, Howard
 Former Legislative Service 67, 67X, 68

LUCAS J. DE KOSTER

Address Hull
 Age 62
 Occupation Lawyer, Insurance Agent
 Senatorial District 1—Sioux, Plymouth, Lyon
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68

PATRICK J. DELUHERY

Address Davenport
 Age 38
 Occupation College Teacher
 Senatorial District 41—Scott
 Former Legislative Service 68

DONALD V. DOYLE

Address Sioux City
 Age 55
 Occupation Lawyer
 Senatorial District 26—Woodbury, Monona
 Former Legislative Service 57, 58, 61, 63, 64, 65, 66, 67, 67X, 68

RICHARD F. DRAKE

Address Muscatine
 Age 53
 Occupation Farming
 Senatorial District 38—Muscatine, Scott, Johnson, Louisa
 Former Legislative Service 63, 64, 65, 66, 67, 67X, 68

ELVIE DREESZEN

Address Cushing
 Age 60
 Occupation Farmer
 Senatorial District 24—Ida, Buena Vista, Calhoun, Carroll, Cherokee, Crawford, Greene, Pocahontas
 Former Legislative Service None

viii MEMBERS OF THE SENATE—69TH GENERAL ASSEMBLY
1981 REGULAR SESSION—Continued

JAMES V. GALLAGHER

Address Jesup
Age 47
Occupation Telephone Company
Senatorial District 16—Black Hawk, Benton, Buchanan, Linn, Tama
Former Legislative Service 61, 62, 65, 66, 67, 67X, 68

JULIA GENTLEMAN

Address Des Moines
Age 49
Occupation Housewife
Senatorial District 33—Polk
Former Legislative Service 66, 67, 67X, 68

NORMAN J. GOODWIN

Address DeWitt
Age 67
Occupation Legislator
Senatorial District 39—Clinton, Scott
Former Legislative Service 68

ARTHUR L. GRATIAS

Address Nora Springs
Age 60
Occupation Farmer, Educator
Senatorial District 7—Floyd, Cerro Gordo, Chickasaw, Howard, Mitchell
Former Legislative Service 68

JACK W. HESTER

Address Honey Creek
Age 51
Occupation Farmer
Senatorial District 27—Pottawattamie, Crawford, Harrison, Monona, Shelby
Former Legislative Service 68

EDGAR H. HOLDEN

Address Davenport
Age 66
Occupation Entrepreneur
Senatorial District 40—Scott
Former Legislative Service 62, 63, 64, 65, 67 (2nd)*, 68

MERLIN D. HULSE

Address Clarence
Age 57
Occupation Farmer
Senatorial District 12—Cedar, Clinton, Jackson, Johnson, Jones, Scott
Former Legislative Service 67, 67X, 68

CALVIN O. HULTMAN

Address Red Oak
Age 39
Occupation Businessman
Senatorial District 49—Montgomery, Fremont, Mills, Page, Pottawattamie
Former Legislative Service 65, 66, 67, 67X, 68

*(2nd) Denotes 1978 Regular Session

MEMBERS OF THE SENATE—69TH GENERAL ASSEMBLY
1981 REGULAR SESSION—Continued

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EMIL J. HUSAK

Address Toledo
Age 50
Occupation Farmer
Senatorial District 36—Tama, Benton, Iowa, Johnson, Keokuk, Poweshiek
Former Legislative Service 64, 65, 66, 67, 67X, 68

C.W. BILL HUTCHINS

Address Guthrie Center
Age 49
Occupation Self-employed/Small Businessman
Senatorial District 28—Guthrie, Audubon, Carroll, Cass, Crawford, Greene, Shelby
Former Legislative Service 65, 66, 67, 67X, 68

JOHN W. JENSEN

Address Plainfield
Age 54
Occupation Farmer
Senatorial District 19—Bremer, Black Hawk, Butler, Floyd, Franklin, Grundy, Marshall, Tama
Former Legislative Service 68

LOWELL L. JUNKINS

Address Montrose
Age 36
Occupation Small Businessman/Farmer
Senatorial District 43—Lee, Des Moines, Henry
Former Legislative Service 65, 66, 67, 67X, 68

GEORGE R. KINLEY

Address Des Moines
Age 43
Occupation Owner-Operator of Golf Sales
Senatorial District 34—Polk, Warren
Former Legislative Service 64, 65, 66, 67, 67X, 68

A.R. (BUD) KUDART

Address Cedar Rapids
Age 50
Occupation Lawyer
Senatorial District 13—Linn, Johnson
Former Legislative Service 68

MICK LURA

Address Marshalltown
Age 32
Occupation Accountant
Senatorial District 20—Marshall, Grundy, Hardin, Jasper, Story
Former Legislative Service 68

ALVIN V. MILLER

Address Ventura
Age 59
Occupation Business/Insurance
Senatorial District 6—Cerro Gordo, Worth
Former Legislative Service 65, 66, 67, 67X, 68

x MEMBERS OF THE SENATE—69TH GENERAL ASSEMBLY
1981 REGULAR SESSION—Continued

CHARLES P. MILLER

Address Burlington
Age 62
Occupation Doctor of Chiropractic
Senatorial District 42—Des Moines, Henry, Louisa
Former Legislative Service 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X, 68

JOHN S. MURRAY

Address Ames
Age 41
Occupation Attorney
Senatorial District 21—Story, Boone, Polk
Former Legislative Service 65, 66, 67, 67X, 68

JOHN N. NYSTROM

Address Boone
Age 47
Occupation Auto Dealer
Senatorial District 22—Boone, Greene, Hamilton, Story, Webster
Former Legislative Service 64, 65, 66, 67, 67X, 68

WILLIAM D. PALMER

Address Des Moines
Age 45
Occupation Insurance
Senatorial District 32—Polk
Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68

BERL E. PRIEBE

Address Algona
Age 62
Occupation Farmer, Businessman
Senatorial District 4—Kossuth, Emmet, Hancock, Humboldt, Palo Alto, Pocahontas, Winnebago
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68

DICK RAMSEY

Address Osceola
Age 40
Occupation Lawyer/Farmer
Senatorial District 47—Clarke, Appanoose, Decatur, Lucas, Madison, Monroe, Ringgold, Union, Wayne
Former Legislative Service 65, 66, 67, 67X, 68

DAVID M. READINGER

Address Des Moines
Age 44
Occupation Sales
Senatorial District 30—Polk
Former Legislative Service 65, 66, 67, 67X, 68

NORMAN RODGERS

Address Adel
Age 53
Occupation Farmer, Businessman
Senatorial District 29—Dallas, Adair, Clarke, Guthrie, Madison, Warren
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68

**MEMBERS OF THE SENATE—69TH GENERAL ASSEMBLY
1981 REGULAR SESSION—Continued**

BOB RUSH

Address Cedar Rapids
 Age 36
 Occupation Lawyer
 Senatorial District 15—Linn
 Former Legislative Service 67, 67X, 68

FORREST V. SCHWENGELS

Address Fairfield
 Age 65
 Occupation Real Estate
 Senatorial District 44—Jefferson, Henry, Keokuk, Lee, Van Buren, Wapello, Washington
 Former Legislative Service 65, 66, 67, 67X, 68

TOM SLATER

Address Council Bluffs
 Age 35
 Occupation Partner, Advertising & Public Relations Firm
 Senatorial District 50—Pottawattamie
 Former Legislative Service 67, 67X, 68

ARTHUR A. SMALL, JR.

Address Iowa City
 Age 47
 Occupation Businessman
 Senatorial District 37—Johnson
 Former Legislative Service 64, 65, 66, 67, 67X, 68

RAY TAYLOR

Address Steamboat Rock
 Age 57
 Occupation Farmer, Retailing
 Senatorial District 5—Hardin, Cerro Gordo, Franklin, Hancock, Wright
 Former Legislative Service 65, 66, 67, 67X, 68

DALE L. TIEDEN

Address Elkader
 Age 58
 Occupation Farmer
 Senatorial District 9—Clayton, Allamakee, Delaware, Dubuque, Fayette, Winneshiek
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68

RICHARD VANDE HOEF

Address Harris
 Age 55
 Occupation Farming
 Senatorial District 2—Osceola, Clay, Dickinson, Emmet, Lyon, O'Brien, Palo Alto, Sioux
 Former Legislative Service None

BASS VAN GILST

Address Oskaloosa
 Age 69
 Occupation Farmer
 Senatorial District 46—Mahaska, Keokuk, Lucas, Marion, Monroe, Poweshiek, Warren
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68

xii MEMBERS OF THE SENATE—69TH GENERAL ASSEMBLY
1981 REGULAR SESSION—Continued

ARNE WALDSTEIN

Address Storm Lake
Age 55
Occupation Professional Farm Manager and Rural Appraiser
Senatorial District 3—Buena Vista, Cherokee, Clay, O'Brien, Palo Alto, Plymouth, Pocahontas
Former Legislative Service 68

JAMES D. WELLS

Address Cedar Rapids
Age 52
Occupation Shift Leader
Senatorial District 14—Linn, Benton
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68

SUE YENGER

Address Ottumwa
Age 42
Occupation Homemaker, Teacher
Senatorial District 45—Wapello, Appanoose, Davis, Mahaska, Monroe
Former Legislative Service 68

JOURNAL OF THE SENATE

FIRST CALENDAR DAY FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 12, 1981

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1981 regular session of the Sixty-ninth General Assembly convened at 10:00 a.m., and the Senate was called to order by Lieutenant Governor Terry E. Branstad.

Prayer was offered by the Reverend David Johnson, pastor of Our Saviour's and West Prairie Lutheran Churches, Leland, Iowa.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanley Haugland, Des Moines, Iowa.

OPENING REMARKS BY THE LIEUTENANT GOVERNOR

Lieutenant Governor Branstad addressed the Senate as follows:

To all of you who are a part of this body, Senators, secretaries, interns, pages, doorkeepers, Senate and caucus staff, welcome to the 1981 session of the Iowa Senate.

We certainly are not blessed with a wealth of dollars in the state treasury this year. However, we are blessed with a wealth of experience here in the Senate. All but three of the members of this body have previous legislative experience, and those three each have unique experiences, talents, and abilities that they bring to this body.

We have a new Secretary of the Senate, Linda Mackay. She has already impressed me and the members of the Rules and Administration Committee by her attitude, abilities and professionalism. We appreciate the fact that Frank Stork is back at least for the first few days of this session to help Linda. Frank's performance as Secretary of the Senate was always one of fairness, objectivity and equal treatment to all Senators. I am confident that Linda will work with me and each of you in the same manner in order to facilitate complete cooperation and fairness to all.

We are in the midst of what may be the most difficult economic time since the depression days of the 1930's. Last spring before we adjourned in April we made budget cuts totaling \$95 million.

Unfortunately, the recession has been much worse than was predicted. In August, the Governor found it necessary to cut an additional 3.6 per cent across the board.

Again in December, Governor Ray made an additional one per cent cut, as well as proposing a number of other steps, that he feels are necessary to keep a balanced budget for this fiscal year which began on July 1, 1980, and ends on June 30, 1981.

I concur with the Governor that these steps are necessary and I urge that the Senate move decisively in the early weeks of this session to implement those recommendations. We would be wise to 1) transfer the military tax credit fund into the general fund. This could make an additional \$6.7 million available to balance the budget this year. Presently the military tax credit fund has more money in it than is necessary to pay the military tax credits when due. Under this proposal the military tax credit payments would be made in full to the counties every six months as in the past. The significant change would be that the check would come from the general fund rather than a special fund. 2) adopt an accounting policy of charging the entire state payroll to the fiscal year in which it is paid. 3) deauthorize the spending of the unobligated balance which was appropriated for automobile purchases by state agencies. The Governor has already ordered an interruption in the purchase of new automobiles by the state and at this time there is \$4.4 million that could be returned to the general fund. We may want to seriously look at changing our current policy of trading state vehicles every two years or after 50,000 miles and keep the vehicles for a longer period of time, especially in light of the need to reduce travel in state automobiles.

The top priority of this session is going to be handling our appropriations process in such a manner that we maintain a balanced budget without the necessity of a general fund increase. There will be strong pressure on you to take the easy way out and increase taxes. Some will tell you that this can be done on a temporary basis. Let me caution you that Iowans realize that temporary tax increases have a way of becoming permanent. The answer to our budget problems is not a general tax increase.

The success of this session will to a great degree depend upon the kind of job that you are able to do in the appropriations process. Almost every Senator serves on an Appropriations subcommittee. Your actions, especially those in subcommittee are extremely important to balancing the budget. You are going to have the responsibility of developing priorities for the agencies, departments and programs that receive funding through your subcommittee. You must be willing to make the tough decisions, set the priorities and make the cuts that are necessary in a logical manner in order that the important, critical and necessary services of state government can continue to those Iowans that need them and depend upon them. During the early weeks of this session we are asking that you take a very critical look at the budgets for the present fiscal year.

The people of Iowa are counting on you to find new and creative ways to meet the needs of our people and continue the services in a less expensive manner. It is essential that we in state government cooperate and work with our soon to be inaugurated President, Ronald Reagan, and the new Congress. I am optimistic that the new administration will substantially reduce the amount of federal regulations and red tape involved with most federal programs and will instead send more block grants giving us wider flexibility to meet the needs of our people without many of the

expensive and unnecessary regulations presently imposed. It is important that we adjust to these changes as they come about. We should take advantage of the new opportunities that we will have in state government to determine our own priorities for those who are in the unfortunate position of needing help from government.

This year we will have a new subcommittee of Appropriations which will handle corrections and mental health. I am optimistic that this new subcommittee will be able to delve in great detail in to these two critical areas, as well as give the Social Services subcommittee more time for in-depth study in the other important areas of social needs.

In my opening remarks to you a year ago, I suggested that we could develop a reasonable, nonpartisan approach to reapportioning the legislature with the goal of encouraging citizen participation rather than gaining partisan advantage. I am pleased that the 1980 session saw fit to pass legislation setting up such a framework. It is important that we follow through with reapportionment in the spirit of bipartisan cooperation that is evidenced by that legislation. By working together we can avoid a bitter, divisive, partisan clash. The leadership in the Senate has joined with the leadership of the House in asking that the final census information be delivered to the Legislative Service Bureau before February 1, so that they can begin their work. This will enable us to complete the reapportionment process before this session adjourns.

With the very difficult budgeting process this year, we will not be able to afford a lot of new programs. This fact gives us an opportunity to re-examine many of the programs and agencies that have been created over the last 20 years.

Iowans, especially many of our elderly citizens, are concerned about the dramatic increase in violent crimes. The Older Iowans Legislature went on record supporting legislation to give greater protection to honest, law-abiding citizens who are being intimidated by criminals and juvenile delinquents. In the past, many rural Iowans believed that crime only occurred in the larger cities. However, in the last several months violent crimes have occurred in such peaceful Iowa communities as Latimer, Delmar and Mt. Ayr. In this legislative session we should focus our attention on the problem of violent crime and how it can be reduced. We need to look into why the division of criminal investigation is losing some of its top agents like Thomas Ruxlow. We must take action to restore the morale of our top investigators and give them the tools they need to investigate and combat violent crime.

Chapter 692 of the Code of Iowa relating to criminal history and intelligence data needs to be rewritten to clarify that intelligence data does not include police investigative information. Under a recent court decision police investigative information is being treated as intelligence data and every exchange of information must be logged. This is hamstringing investigations and needs to be corrected. The confidential records council has already recommended this change, as have many organizations representing law enforcement officers.

We should also restore the right of a victim to use reasonable force including deadly force to defend himself or herself when attacked by a violent felon.

Iowa has already made great strides in providing opportunities for our handicapped citizens. Last year the Senate passed an important handicapped parking bill. This bill failed to get out of the Transportation Committee in the House. This year I am hopeful that the handicapped parking bill will make it through the entire legislative process and be signed into law.

The smoke detector bill which also passed the Senate last year is another important piece of legislation that needs to be passed by both houses and signed by the Governor this year.

We must not lose sight of our long range goals. These include reducing Iowa's dependency on property taxes for funding education and local government. Indexing the income tax must be continued and further steps need to be taken as our economy improves. We need to provide greater incentives for industrial growth and job opportunities in our state.

As soon as the state is financially able, we should increase the inheritance tax exemptions. Federal and state death taxes are one of the greatest enemies of the family farm.

TEMPORARY SECRETARY

Senator Hultman moved that Linda Howarth Mackay be elected temporary Secretary of the Senate.

The motion prevailed by a voice vote and Ms. Mackay appeared before the rostrum, was duly sworn and subscribed her name to the oath of office.

ADOPTION OF TEMPORARY RULES

Senator Hultman moved that the rules of the Senate for the 1980 Session of the Sixty-eighth General Assembly be adopted as the temporary rules for the Sixty-ninth General Assembly.

The motion prevailed by a voice vote.

COMMITTEE ON CREDENTIALS

Senator Hultman moved that Senators Murray, Jensen, Gratias, Rodgers and Coleman be appointed as a committee on credentials.

The motion prevailed by a voice vote.

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

The Senate resumed session, President Branstad presiding.

REPORT OF THE 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-ninth General Assembly.

JOHN S. MURRAY, Chairperson
ARTHUR L. GRATIAS
JOHN W. JENSEN
NORMAN RODGERS
C. JOSEPH COLEMAN

CERTIFICATION
STATE OF IOWA
Office of
THE SECRETARY OF STATE

To the Honorable, the Secretary of the Senate:

I, MARY JANE ODELL, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held November 4, 1980, 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, 1981.

DISTRICTS

- Second Richard P. Vande Hoef
- Fourth Berl E. Priebe
- Sixth Alvin V. Miller
- Eighth Rolf V. Craft
- Tenth Bob Carr
- Twelfth Merlin D. Hulse
- Fourteenth James D. Wells
- Sixteenth James V. Gallagher
- Eighteenth Ted Anderson
- Twentieth Mick Lura
- Twenty-second Jack N. Nystrom
- Twenty-fourth Elvie Dreeszen
- Twenty-sixth Donald V. Doyle
- Twenty-eighth C.W. Bill Hutchins
- Thirtieth David M. Readinger
- Thirty-second William D. Palmer
- Thirty-fourth George R. Kinley
- Thirty-sixth Emil J. Husak
- Thirty-eighth Richard F. Drake
- Fortieth Edgar H. Holden
- Forty-second Charles P. Miller
- Forty-fourth Forrest V. Schwengels

Forty-sixth Bass Van Gilst
 Forty-eighth James E. Briles
 Fiftieth Tom Slater

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held November 7, 1978, 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, 1979.

DISTRICTS

First Lucas J. DeKoster
 Third Arne Waldstein
 Fifth Ray Taylor
 Seventh Arthur L. Gratiias
 Ninth Dale L. Tieden
 Eleventh Stephen W. Bisenius
 Thirteenth A.R. Bud Kudart
 Fifteenth Bob Rush
 Seventeenth Richard Comito
 Nineteenth John W. Jensen
 Twenty-first John S. Murray
 Twenty-third C. Joseph Coleman
 Twenty-fifth Clarence Carney
 Twenty-seventh Jack W. Hester
 Twenty-ninth Norman Rodgers
 Thirty-first Gary L. Baugher
 Thirty-third Julia B. Gentleman
 Thirty-fifth Joe Brown
 Thirty-seventh Arthur A. Small, Jr.
 Thirty-ninth Norman J. Goodwin
 Forty-first Patrick J. Deluhery
 Forty-third Lowell L. Junkins
 Forty-fifth Sue Yenger
 Forty-seventh Dick Ramsey
 Forty-ninth Calvin O. Hultman

I FURTHER CERTIFY that the State Canvassing Board has declared that at a Special Election held on November 6, 1979, Gary L. Baugher was elected to the office of State Senator for the Thirty-first District to fill a vacancy in a four year term which began in January, 1979.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines this 12th day of January, 1981.

MARY JANE ODELL, Secretary of State

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

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Kudart moved that a committee of three 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 by a voice vote and the Chair appointed as such committee Senators Kudart, Goodwin and Wells.

COMMITTEE TO NOTIFY THE HOUSE

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Hester, Dreeszen and Husak.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Hultman placed in nomination the name of Senator Dick Ramsey of Clarke County as a candidate for the office of President pro tempore of the Senate of the Sixty-ninth General Assembly.

There being no further nominations, the Chair put the question and Senator Ramsey was unanimously elected by a voice vote.

The Chair announced that Senator Ramsey had been elected President pro tempore of the Sixty-ninth General Assembly.

President Branstad requested Senators Bisenius, Baugher and Carr to escort Senator Ramsey to the rostrum.

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

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

Thank you, Lieutenant Governor Branstad. I want to express my appreciation to each and every one of you for electing me to this prestigious and responsible position, and I look forward to working with the Lieutenant Governor, the Majority and

Minority Leaders and each and every one of you to make this a very productive and memorable General Assembly.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Yenger 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 by a voice vote and the Secretary assigned the following:

- 51 Des Moines Register, Diane Graham
- 52 Des Moines Tribune, Evan Roth
- 53 The Associated Press, Roger Munns
- 54 Iowa Radio Network, Robb Dillard
- 55 United Press International, Mark E. Noblin
- 56 Iowa Legislative News Service, Jo VonStein
- 57 KRNT Radio, Gary Barrett
- 58 The Cedar Rapids Gazette, John McCarroll
- 59 WHO News Radio, Jack Kuenzie
- 60 Iowa Daily Press Association, Harrison Weber
- 61 KWWL-TV, Larry Mundt
- 62 Waterloo Courier, Bob Case
- 63 Quad-City Times, Michael C. Owen
- 64 KCCI-TV, Brooks Humphreys

GENERAL ASSIGNMENT

AFSCME Public Employee News, Ray Conley, Roger Frazer, Tom Kramer, Larry Scarpino
 The Associated Press, Don Beman, Judy Daubenmier, Mike Glover
 Bureau of National Affairs, Donald Silcott
 The Cedar Rapids Gazette, Ken Sullivan
 Des Moines Register, Charles Bullard, James Flansburg, David Yepsen
 Des Moines Tribune, David Elbert, Frank Santiago, Steven Walters, Thomas Witosky
 Dubuque Telegraph Herald, Roxie Hammill
 Iowa Daily Press Association, Julie Herman
 Iowa Press Association, Bill Monroe, Don Reid
 Iowa Public Broadcasting Network, Nancy Crowfoot, Rene Durazzo, Mark Foust, Sara Frasher, Jeff Gibson, Daniel Miller, Renato Payton, Tom Rowat, Clay Smith, David Woodward, Linda Wright, Carl Zahari
 Iowa Public Radio, Kevin Boyle, Becky Mitchell, Sharon Robinson, Maryann Spellman, Frank Stasio, Jr.
 Iowa Radio Network, Kevin Klimowski
 KCCI-TV, Michele Burgad, Dave Busiek, Craig Parsons, Mark Swanson, Dave Warner

KRNT Radio, Jackie Clark, Linda Knowles, Barbara Lindstrom, Julie Rutz, Dale Woolery
 United Press International, Charles Abbott, Tamara Cooke, Thomas Peterson, Mark Welton, Andrew Yemma
 Waterloo Courier, Jim Wigdahl
 WHO-TV, Jerry Hymen, George Mills, Bill Moller, Bob Singer, Barry Zoeller
 WOI-TV, Chris Abel, Mark Braun, Don Campbell, Wayne Davis, Rob Downey, Chris Hanson, Greg O'Malia, Tom Schrad

ELECTION OF PERMANENT OFFICERS AND EMPLOYEES

Senator Hultman asked and received unanimous consent to take up the following report of the committee on rules and administration:

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-eighth General Assembly:

Senate Personnel

Secretary of the Senate Linda Howarth Mackay

Administrative

Assistant Secretary/Finance Mary Ann Abbott
 Assistant Finance Clerk Terry Pepper
 Records and Supply Clerk Judy Rutledge

Journal

Journal Editor C. J. Kelly
 Assistant Journal Editor Nancy Smith
 Composer Mary Buban

Legal Counsel

Legal Counsel Lisa M. Thompson
 Assistant Legal Counsel Cynthia A. Clingan
 Assistant to the Legal Counsel Robin Lane

Majority Caucus

Administrative Assistant to	
Majority Leader	Marjorie Helkenn
Caucus Staff Director	Rand M. Fisher
Research Analyst	Peter J. Coniglio
Research Analyst	Barbara Leiser
Research Analyst	Susan Johnson
Research Analyst	Jule Thorsen
Secretary to Caucus	Marjorie C. Waller

Minority Caucus

Administrative Assistant to	
Minority Leader	G. Kay Bolton
Caucus Staff Director	Bill Maloney
Research Analyst	Kibbi Bryant
Research Analyst	John Frew
Research Analyst	Gregory S. Nichols
Research Analyst	Becky Roorda

Office of the Secretary

Assistant Secretary	K. Marie Thayer
Secretary to the Secretary	Joyce Horner

Sergeant-at-arms

Sergeant-at-arms	Roy Nelson
Assistant Sergeant-at-arms	B. W. Rulon
Chief Doorkeeper	Ray J. Properi
Doorkeeper	Francis J. (Bud) Burns
Doorkeeper	Catherine L. DeHeck
Doorkeeper	Jack Levine
Doorkeeper	Frank J. Murphy
Doorkeeper	Charles B. Murray

Services

Bill Clerk	Susan S. Hutchison
Assistant Bill Clerk	Faye Fritzjunker
Switchboard Operator	Betty Lawler
Switchboard Operator	Betty Schwengels
Postmaster	Kermit Haun
Porter	James M. Sullivan

Technical

Recording Clerk	Elizabeth Ligouri
Chief Indexer	Maxine E. Gunton
Assistant Indexer	Caryll Wilbur

CALVIN O. HULTMAN, Chairperson

Senator Hultman moved the adoption of the report and the election of the permanent officers and employees placed in nomination by the committee on rules and administration.

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Kudart 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.

ELECTION OF SENATE SECRETARIES

Senator Hultman asked and received unanimous consent to take up the following report of the committee on rules and administration:

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Your committee on rules and administration begs leave to submit the following persons for employment by the Senators:

Ted Anderson	Lori Knauss
Gary L. Baugher	Margaret K. Thomas
Stephen W. Bisenius	Doris Flo Saf
James E. Briles	Mary Wilcox
Joe Brown	Ginger Brown
Clarence S. Carney	Jacquelyn Carney
Bob Carr	Jane Fowler
C. Joseph Coleman	Carole Peterson
Richard Comito	Ellen M. Carver
Rolf V. Craft	Sondra S. Aamoth

Lucas J. DeKoster	Elsie Haun
Patrick J. Deluhery	Mary M. Kennedy
Donald V. Doyle	Constance A. Eichhorn
Richard F. Drake	Jean McClatchey
Elvie L. Dreeszen	Marian B. Kempkes
James V. Gallagher	Katie Doyle
Julia B. Gentleman	Phyllis Den Hartog
Norman J. Goodwin	Betty J. Dysart
Arthur L. Gratias	Martha J. Nichols
Jack W. Hester	Joan L. Hester
Edgar H. Holden	Nancy Henter
Merlin D. Hulse	Marcella Nelson
Emil J. Husak	Ruth Strait
C.W. Bill Hutchins	JoAnn Hutchins
John W. Jensen	Marilyn Monteith
Lowell L. Junkins	Kathlyn Hillman
George R. Kinley	Jeanne Heller
A.R. (Bud) Kudart	Jeanne Schmidt
Mick Lura	Helen Stejskal
Alvin V. Miller	Paula Cox
Charles P. Miller	Virginia M. Miller
John S. Murray	Betty Wise
John N. Nystrom	Diane Collison
William D. Palmer	Rosemary Randolph
Berl E. Priebe	Peggy Thomson
Dick Ramsey	Dorothy Nepstad
David M. Readinger	Sharlyn Pardubsky
Norman Rodgers	Pamela K. Gutshall
Bob Rush	Ruth Root
Forrest V. Schwengels	Hazel Schroedel
Tom Slater	Thomas L. Jones
Arthur A. Small, Jr.	Richard Varn
Ray Taylor	Marjorie B. Thompson
Dale L. Tieden	Genevieve E. Snetselaar
Richard Vande Hoef	Anita C. Winfough
Bass Van Gilst	Bonnie King
Arne Waldstein	Sylvia Tow
James D. Wells	Geraldine McCarthy
Sue Yenger	Brenda Jotzke

CALVIN O. HULTMAN, Chairperson

Senator Hultman moved the adoption of the report and the election of the Senate secretaries placed in nomination by the committee on rules and administration.

The motion prevailed by a voice vote and foregoing Senate secretaries appeared before the bar of the Senate, were duly sworn and subscribed to their oaths of office.

ELECTION OF PAGES

Senator Hultman asked and received unanimous consent to take up the following report of the committee on rules and administration:

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 nomination as pages for the Senate for the 1981 Session of the Sixty-ninth General Assembly:

- Page Larry Adkins, Dunlap
- Page Frida J. Eklund, Decorah
- Page Debra J. Fors, Gowrie
- Page Julie Hansen, West Des Moines
- Page Denise Hudgins, Radcliffe
- Page Sarah Kleaveland, Cedar Falls
- Page Lisa Rae Lenz, Altoona
- Page Laura McLearn, Montrose
- Page Jason Norton, Bedford
- Page Kim Ruggeberg, Grand Mound
- Page Becki J. Spees, Birmingham
- Page Kevin J. Vaughn, Colo
- Secretary of the
Senate's Page Kathleen K. Bangert, Burlington
- Lt. Governor's Page Dana Barrer, Mitchellville

CALVIN O. HULTMAN, Chairperson

Senator Hultman moved the adoption of the report and the election of the Senate pages placed in nomination by the committee on rules and administration.

The motion prevailed by a voice vote and the foregoing Senate pages appeared before the bar of the Senate, were duly sworn and subscribed to their oaths of office.

COMMITTEE ON MILEAGE

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators DeKoster, Drake, Priebe and Small.

REPORT OF COMMITTEE ON MILEAGE

Senator DeKoster asked and received unanimous consent to take up the following 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 Terry Branstad	270
Anderson, Ted	220
Baugher, Gary L.	17
Bisenius, Stephen W.	344
Briles, James E.	200
Brown, Joe	150
Carney, Clarence S.	408
Carr, Bob	410
Coleman, C. Joseph	236
Comito, Richard	212
Craft, Rolf V.	420
DeKoster, Lucas J.	488
Deluhery, Patrick J.	336
Doyle, Donald V.	426
Drake, Richard F.	306
Dreeszen, Elvie L.	330
Gallagher, James V.	290
Gentleman, Julia	None
Goodwin, Norman J.	360
Gratias, Arthur L.	280
Hester, Jack W.	236
Holden, Edgar H.	340
Hulse, Merlin D.	310
Hultman, Calvin O.	238
Husak, Emil J.	150
Hutchins, C.W. Bill	120
Jensen, John W.	290
Junkins, Lowell L.	372
Kinley, George R.	None
Kudart, A.R. (Bub)	280
Lura, Mick	124
Miller, Alvin V.	230
Miller, Charles P.	334
Murray, John S.	70
Nystrom, John N.	100
Palmer, William D.	None
Priebe, Berl E.	280
Ramsey, Dick	190

Readinger, David M. None
 Rodgers, Norman 68
 Rush, Bob 270
 Schwengels, Forrest V. 240
 Slater, Tom 280
 Small, Arthur A., Jr. 240
 Taylor, Ray 160
 Tieden, Dale L. 400
 Vande Hoef, Richard 440
 Van Gilst, Bass 140
 Waldstein, Arne 320
 Wells, James D. 250
 Yenger, Sue 186

Respectfully submitted,
 LUCAS J. DeKOSTER
 RICHARD F. DRAKE
 BERL E. FRIEBE
 ARTHUR A. SMALL, JR.

Senator DeKoster moved the adoption of the report, which motion prevailed by a voice vote.

ADOPTION OF RESOLUTION

Senate Concurrent Resolution 1

Senator Junkins asked and received unanimous consent to take up for immediate consideration the following resolution:

SENATE CONCURRENT RESOLUTION 1
 By: Committee on Rules and Administration

1 *Be It Resolved by the Senate, the House Concurring,* That
 2 the superintendent of printing be instructed to mail to each
 3 county auditor in the state of Iowa who has not waived the
 4 right of receipt, one copy of the daily proof senate and house
 5 journals, one copy of each senate and house bill, one copy
 6 of each senate and house reprinted bill, one copy of each
 7 senate and house enrolled bill, and one copy of each senate
 8 and house clip sheet, for the duration of the sixty-ninth
 9 general assembly, and that the same be furnished to such
 10 officers free of charge, to be paid for out of the general
 11 fund from funds not otherwise appropriated.

12 *Be It Further Resolved,* That the superintendent of printing
 13 be instructed to mail to each member of Iowa's congressional
 14 delegation who has not waived the right of receipt, one copy
 15 of the daily proof senate and house journals, one copy of
 16 each senate and house bill, one copy of each senate and house
 17 reprinted bill, one copy of each senate and house enrolled
 18 bill, and one copy of each senate and house clip sheet, for

19 the duration of the sixty-ninth general assembly, and that
 20 the same be furnished to such officers free of charge, to
 21 be paid for out of the general fund from funds not otherwise
 22 appropriated.
 23 *Be It Further Resolved*, That the superintendent of printing
 24 make such mailings at least once weekly.

Senator Junkins moved the adoption of Senate Concurrent Resolution 1.

The motion prevailed by a voice vote and the resolution was adopted.

COMMITTEE ON MEMORIALS

Senator Tieden moved that a committee of four members of the Senate be appointed to ascertain the names of the deceased members of the Senate and that the committee be authorized to appoint committees to prepare suitable memorial resolutions.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Tieden, Hutchins, Lura and Van Gilst.

ADOPTION OF RESOLUTION

Senate Resolution 1

Senator Hulse asked and received unanimous consent to take up for immediate consideration the following resolution:

SENATE RESOLUTION 1

By: Committee on Rules and Administration

1 *Be It Resolved by the Senate*, That the superintendent of
 2 printing is directed to furnish to the secretary of the senate
 3 six (6) copies of the 1981 Code of Iowa and six (6) copies
 4 of the Acts of the sixty-eighth general assembly, 1980 session,
 5 for use by all members of the press corps who are admitted
 6 to the senate chamber during the 1981 session of the sixty-
 7 ninth general assembly.

Senator Hulse moved the adoption of Senate Resolution 1.

The motion prevailed by a voice vote and the resolution was adopted.

COMMITTEE ON CHAPLAINS

Senator Hultman moved that Senator Van Gilst be appointed as a committee of one to work with a House committee in securing chaplains for the Senate during the Sixty-ninth General Assembly, which motion prevailed by a voice vote.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Hester reported that the committee assigned to notify the House that the Senate was organized and ready for business had not performed its duty because the House was standing at ease and that the committee would return to the House at a later time.

SELECTION OF SEATS

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

Senator Craft moved that the holdover and reelected Senators be granted the privilege of retaining the seats occupied by them during the Sixty-eighth 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 drawn by lot by the Secretary of the Senate. In addition, prior to the drawing for unassigned seats, the Majority Floor leader and the Minority Floor Leader be permitted to select their seats.

The motion prevailed by a voice vote.

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

NAME	SEAT NO.
Anderson of Black Hawk	25
Baughner of Polk	23
Bisenius of Dubuque	22

Briles of Adams	34
Brown of Poweshiek	5
Carney of Woodbury	18
Carr of Dubuque	21
Coleman of Webster	13
Cornito of Black Hawk	20
Craft of Winneshiek	10
DeKoster of Sioux	44
Deluhery of Scott	35
Doyle of Woodbury	15
Drake of Muscatine	40
Dreeszen of Ida	11
Gallagher of Black Hawk	33
Gentleman of Polk	14
Goodwin of Clinton	26
Gratias of Floyd	24
Hester of Pottawattamie	6
Holden of Scott	16
Hulse of Cedar	4
Hultman of Montgomery	46
Husak of Tama	7
Hutchins of Guthrie	47
Jensen of Bremer	2
Junkins of Lee	49
Kinley of Polk	43
Kudart of Linn	12
Lura of Marshall	1
Miller of Cerro Gordo	31
Miller of Des Moines	45
Murray of Story	30
Nystrom of Boone	38
Palmer of Polk	41
Priebe of Kossuth	37
Ramsey of Clarke	42
Readinger of Polk	39
Rodgers of Dallas	29
Rush of Linn	3
Schwengels of Jefferson	28
Slater of Pottawattamie	19
Small of Johnson	27
Taylor of Hardin	50
Tieden of Clayton	48
Vande Hoef of Osceola	17
Van Gilst of Mahaska	36
Waldstein of Buena Vista	32
Wells of Linn	9
Yenger of Wapello	8

INTRODUCTION OF RESOLUTION

SENATE RESOLUTION 2

By: Committee on Rules and Administration

1 *Be It Resolved by the Senate*, That the permanent rules
2 of the senate for the sixty-ninth general assembly be as
3 follows:

4 RULES OF THE SENATE

5 Rule 1

6 Quorum

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

9 Rule 2

10 Adoption and Amendment of Rules

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

17 Rule 3

18 Rules of Parliamentary Procedure

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

21 Rule 4

22 Sessions of the General Assembly

23 The election of officers, organization, hiring and
24 compensation of employees, and committees of the senate shall
25 carry over from the first to the second regular sessions and
26 to any extraordinary sessions of the same general assembly.

27 All bills and resolutions introduced in the first regular
28 session of a general assembly [and all appointments received
29 from the governor for senate confirmation,] which are not
30 withdrawn, lost, or indefinitely postponed shall carry over
31 into the second regular session and to any [extraordinary]
32 extraordinary session of the same general assembly.
33 *Appointments received from the governor for senate confirmation*
34 *during any session of a general assembly shall be acted upon*
35 *prior to adjournment of that session as provided by section*

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1 2.32 of the Code. Except as provided by this rule, upon the
2 adjournment of the first regular session and any extraordinary
3 session, each bill or resolution shall be automatically
4 referred back to the committee to which it was originally
5 assigned. The secretary of the senate shall publish in the
6 Journal a list of the bills returned to committee under this
7 rule. Within seven days after the first committee meeting

8 after the convening of the second regular session, committees
 9 shall either authorize the chair to refer such bills and
 10 resolutions to a subcommittee for consideration or report
 11 them out to the floor and place them on the calendar. The
 12 committee chair shall report to the senate the bill or
 13 resolution number and the names of the subcommittee members.

14 Bills and resolutions which have been voted upon on final
 15 passage in any session shall remain on the calendar in the
 16 same status as at the end of the session at any subsequent
 17 regular or extraordinary session.

18 [Appointments received from the governor for senate
 19 confirmation shall not be returned to committee.]

20 Rule 5

21 Regular Order of Daily Business

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

- 24 1. Correction of the journal.
- 25 2. *Senators to be excused.*
- 26 [2] 3. Communications to the Senate.
- 27 [3] 4. Introduction of bills and resolutions.
- 28 5. *Points of personal privilege.*
- 29 [4] 6. Consideration of senate calendar.

30 Rule 6

31 Senate Calendar

32 1. Each legislative day the secretary of the senate shall
 33 prepare a listing of bills to be known as the "Senate
 34 Calendar".

35 2. The senate calendar may contain a listing under the

Page 3

1 category "Special Order" which shall be placed at the head
 2 of the calendar. Bills in such category shall be those which
 3 are specifically set for debate by the majority leader with
 4 the consent of the senate on a certain date and time. Bills
 5 shall be listed by the secretary in the order they are set
 6 for debate.

7 3. The senate calendar shall include separate listings
 8 for any bills and resolutions in the following categories:

- 9 a. Conference Committee Report
- 10 b. Bills in Conference Committee
- 11 c. House Amendment to Senate Amendment to House File
- 12 d. House Refuses to Concur in Senate Amendment to House
- 13 File
- 14 e. Senate Files Amended by the House
- 15 f. Unfinished Business Before the Senate
- 16 g. Motions to Reconsider

17 4. The secretary shall list bills and resolutions in the
 18 above categories in the order they are received. Upon their
 19 first publication in the calendar, bills and resolutions in
 20 the above categories may be called up for debate at any time
 21 by the majority leader. Motions to reconsider shall be called
 22 up as provided by Rule 24.

23 5. The senate calendar shall include a listing of senate
24 appropriations committee bills and bills reported out by the
25 senate appropriations committee. This list shall be known
26 as the "Appropriations Calendar". The secretary shall list
27 the bills in the order they are received. Upon their first
28 publication in the calendar, bills on the appropriations
29 calendar may be called up for debate at any time by the
30 majority leader provided they are eligible under Rule 8.

31 6. The senate calendar shall include a list of bills and
32 resolutions, known as the "Regular Calendar", which shall
33 consist of bills and resolutions reported out by a senate
34 committee. The bills and resolutions reported out each day
35 shall be placed in the order of their file numbers and

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1 following those reported out on previous days. Priority shall
2 be given to senate over house bills and resolutions and to
3 joint resolutions over bills. Bills and resolutions on the
4 regular calendar shall be considered in the order they are
5 listed, provided they are eligible under Rule 8.

6 7. Each Thursday, the majority leader, or in the absence
7 of the majority leader the assistant majority leaders, may
8 select from among the first twenty bills on the previous
9 legislative day's regular calendar and from the bills selected
10 create a new listing which shall be known as the "Debate
11 Calendar". The debate calendar shall list bills as the
12 majority leader expects to take them up during the following
13 week. A bill or resolution on the debate calendar may be
14 debated only when eligible under Rule 8. If a bill is not
15 reached for debate during the week, it shall be returned by
16 the secretary to its former place on the regular calendar.

17 8. Each Wednesday the majority leader, or in the absence
18 of the majority leader the assistant majority leaders, may
19 initiate action to create a list of bills which may be debated
20 at any time upon being called up for debate by the majority
21 leader. Such list shall be known as the "Noncontroversial
22 Calendar". Any bill which appeared on the previous day's
23 regular calendar may be placed by any senator on the "Proposed
24 Noncontroversial Calendar", which shall be published on
25 Thursday. Any bill on the proposed noncontroversial calendar
26 shall be stricken from the calendar if any senator files a
27 written objection with the secretary of the senate on the
28 first or second legislative day after it appears on the
29 proposed noncontroversial calendar. Any bill stricken from
30 the proposed noncontroversial calendar shall be returned to
31 its former place on the regular calendar. The secretary shall
32 prepare the noncontroversial calendar which shall consist
33 of all bills on the proposed noncontroversial calendar to
34 which no objection was received.

35 9. If the senate shall not be in session on a day assigned

Page 5

1 in paragraphs seven and eight for action upon a calendar,
2 such assigned action shall occur on the next succeeding
3 legislative day.

4 10. On any bill called up for debate from any calendar,
5 debate may continue from day to day until it is adopted,
6 fails, or is postponed or deferred. If further debate is
7 postponed or deferred without a time to continue being set,
8 except for bills on the debate calendar, the bill shall be
9 listed as unfinished business. Bills on the debate calendar
10 upon which further debate is postponed or deferred without
11 a time to continue being set shall return to the regular
12 calendar.

Rule 7

Steering Committee

13
14 The senate may authorize the appointment of a steering
15 committee. The president shall appoint the majority party
16 members to the steering committee. The minority leader shall
17 appoint the minority party members to the steering committee.
18 The function of the steering committee shall be to create
19 its own calendar from the bills and resolutions on the regular
20 calendar. Bills and resolutions on the steering committee
21 calendar shall have priority over bills and resolutions on
22 all other calendars, except the appropriations calendar.
23

Rule 8

When Eligible for Consideration

24
25 Bills, resolutions, and appointments shall be eligible
26 for consideration by the senate as follows:

27 1. An appointment by the governor which requires senate
28 confirmation shall be eligible [one week after the president
29 appoints the committee to investigate the appointee] *on the*
30 *legislative day after it is first printed in the senate*
31 *calendar as provided by Rule 58.*

32 2. A house or individually sponsored bill or resolution
33 reported out by a committee shall be eligible on the
34 legislative day after it is first printed in the senate
35

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1 calendar.

2 3. A committee bill or resolution sponsored by the
3 appropriations committee shall be eligible on the legislative
4 day after it is first printed in the senate calendar.

5 4. Any other committee bill or resolution shall be eligible
6 on the third legislative day after it is first printed in
7 the senate calendar.

8 5. Any bill or resolution placed on the steering committee
9 calendar is eligible for consideration on the legislative
10 day following its placement on that calendar.

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

14 Rule 9

15 Debate and Decorum

16 Before addressing the senate, the senator shall request
17 recognition by depressing the "speak" device and, when
18 recognized, rise and respectfully address the chair.

19 The senator shall confine all remarks to the question under
20 debate and shall avoid discussing personalities or implication
21 of improper motives. No questions except by the senator
22 recognized shall be entertained after a senator is recognized
23 to give final remarks.

24 Rule 10

25 Point of Personal Privilege

26 A point of personal privilege shall only be recognized
27 when there is no motion pending or other business being consid-
28 ered by the senate. Senators speaking on a point of personal
29 privilege shall be limited to ten minutes.

30 Rule 11

31 Introduction and Presentation of Guests

32 Only former members of the senate and former and present
33 members of Congress shall be presented to the senate, except
34 that the president of the senate may present a visitor whose
35 presence is of special significance to the senate. No

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1 presentation shall be made during debate or discussion of
2 legislation. The presence of school groups accompanied by
3 school officials shall be announced by the president of the
4 senate and shall be recorded in the journal upon written
5 request of a member of the senate.

6 Rule 12

7 Form and Withdrawal of Motions, Amendments and Signatures

8 Motions need not be in writing unless required by the pres-
9 ident or by the senate. No motion requires a second. Any
10 amendment, motion (including a motion to reconsider), or
11 resolution may be withdrawn by the mover if it has not been
12 amended by the senate and if no amendment is pending. All
13 amendments to bills, resolutions, and reports shall be in
14 writing and filed before being acted upon by the senate.

15 No amendment to the Rules of the Senate, resolution, or
16 bill, or amendment to an amendment or conference committee
17 report shall be considered by the membership of the senate
18 without a copy of said amendment to rule, resolution, bill,
19 amendment to an amendment, or conference committee report
20 being on the desks of the entire membership of the senate
21 prior to consideration.

22 All amendments, reports, petitions or other documents
23 requiring a signature shall have the name typed under the
24 place for the signature. Once a signature is affixed and
25 the document containing the signature filed at the secretary
26 of the senate's desk *in the well*, [it] *that signature* shall
27 not be removed.

28 When an amendment to a main amendment is filed that would
29 negate the effect of the main amendment and thereby leave
30 the bill unchanged, the presiding officer shall have the
31 authority to declare the amendment to the main amendment out
32 of order, subject to an appeal to the full senate.

33 Rule 13

34 Order and Precedence of Motions

35 When a question is under debate, no motion shall be received

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1 but to adjourn, to recess, questions of privilege, to lay
2 on the table, for the previous question, to postpone to a
3 day certain, to refer, to amend, to postpone indefinitely,
4 to defer, or incidental motions. A substitute is not in order
5 unless it is in the form of a motion to substitute. Such
6 motions shall have precedence in the order in which they are
7 named. No motion to postpone to a day certain, to refer,
8 or postpone indefinitely, being decided, shall be again allowed
9 on the same day with regard to the same question. A motion
10 to strike out the enacting clause of a bill shall have
11 precedence over all amendments and, if carried, shall be
12 considered equivalent to the rejection of the bill.

13 A motion to strike everything after the enacting clause
14 has precedence over a committee amendment and all other
15 amendments except one to strike the enacting clause.

16 Rule 14

17 Designation of Motions

18 Motions before the senate shall be identified by the
19 following numerical designations, which shall be displayed
20 on the electronic voting system display boards following the
21 word "motion":

- 22 1. Quorum call (and call of the senate roll call).
- 23 2. Motion to recess or adjourn.
- 24 3. Motion to refer.
- 25 4. Motion to defer or postpone.
- 26 5. Motion to reconsider and lay the motion to reconsider
27 on the table (Double-barreled motion).
- 28 6. Motion to table or take from the table.
- 29 7. Motion to suspend the rules.
- 30 8. Motion to adopt a report
31 (including a conference committee report).
- 32 9. Motion to confirm an appointment of the governor.
- 33 10. Motion to concur in house amendment (Refuse to concur).

- 34 11. Motion to recede (Insist).
 35 12. Motion for the previous question.

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- 1 13. Motion to sustain a decision of the chair.
 2 14. Motion to strike the enacting clause.
 3 15. All other motions.
 4 Rule 15
 5 Motions Debatable and not Debatable
 6 The following motions are not debatable:
 7 Adjourn
 8 Recess
 9 Call of the Senate
 10 Lay on Table or Take from Table
 11 Previous Question
 12 Reconsider vote by which bill was placed on last reading.
 13 A motion to Reconsider and Lay the Motion to Reconsider
 14 on the Table (Double-barreled Motion).
 15 A motion to suspend the rules is debatable.

- 16 Rule 16
 17 Division of the Question
 18 Any senator may call for a division of a question, which
 19 shall be divided if it includes propositions so distinct that
 20 if one is taken away, a substantive proposition shall remain
 21 in a technically proper form for the decision of the senate..
 22 A motion to strike out and insert is indivisible; but a motion
 23 to strike out, if lost, shall not preclude amendments to the
 24 matter attempted to be stricken or a motion to strike out
 25 and insert.

- 26 Rule 17
 27 The Previous Question
 28 The previous question shall be in this form: "Shall debate
 29 be closed on the pending question?" A motion for the previous
 30 question may be adopted by a majority of the senators present
 31 and voting. Its effect shall be to put an end to debate and
 32 bring the senate to a direct vote upon the pending question.
 33 However, any senator who has not previously spoken on the
 34 pending question and who, after the main question is taken
 35 up and before the motion for the previous question has been

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- 1 made, requested recognition by depressing the "speak" device
 2 may speak no longer than five minutes on the pending question.
 3 If action on the pending question continues into another
 4 legislative day or is deferred, the previous question shall
 5 apply and the requests to be recognized shall be honored.
 6 When the motion applies to an amendment, the senator
 7 proposing the amendment shall have five minutes to close

8 debate on the amendment.

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

11 Rule 18

12 Call of the Senate

13 Ten senators may file in writing a call of the senate on
14 any single item or legislative business. A call of the senate
15 requires the presence of every senator and is in order at
16 any time prior to the vote being announced by the president.
17 The sergeant-at-arms shall return promptly all absent senators.
18 Debate on the item may continue while absent senators are
19 returning, but no vote on the item is in order on it until
20 all have returned. Adoption of a motion to recess or adjourn
21 to a specific time will not lift the call. The call may be
22 lifted, or a senator may be excused from the call without
23 lifting the call, by a vote of a constitutional majority of
24 the senators. Those senators excused prior to the filing
25 of the call are excused from the call.

26 Rule 19

27 Committee of the Whole

28 The senate may resolve itself into a committee of the whole
29 senate when it wishes to permit more free and informal dis-
30 cussion. Persons other than senators may appear and present
31 information.

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

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1 The president of the senate shall be chair[man] of the
2 committee of the whole unless otherwise ordered by the senate.

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

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

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

13 After adoption of the motion to rise, the chair[man] shall
14 report to the senate in the same manner as other committee
15 reports are given.

16 Rule 20

17 Last Reading and Passage of Bills

18 When a motion to place a bill on its last reading is lost,

19 the same motion shall be in order at any later time. After
20 the last reading of a bill, no amendment shall be received.
21 The vote on final passage immediately shall be taken without
22 debate.

Rule 21

Engrossment of Bills

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

30 In an engrossed bill, all obvious typographical, spelling
31 or other clerical errors are corrected and section or paragraph
32 numbers and internal references are changed as required to
33 conform the original bill to any amendments which have been
34 adopted. All such corrections or changes shall be reported
35 in the journal by the secretary of the senate. The engrossed

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1 bill shall be placed in the bill file with the original bill
2 and amendments.

Rule 22

Manner of Voting

5 On voice vote, the question shall be distinctly put in
6 this form: "Those in favor of (the question) say 'aye.'"
7 "Those opposed to (the question) say 'no.'"

8 A non-record or record roll call vote may be requested
9 by any senator or ordered by the president any time before
10 the results are announced. A non-record roll call shall be
11 requested by asking for a "division". A record roll call
12 shall be requested by asking for a "roll call". Upon request
13 for a non-record or record roll call vote, the president shall
14 announce that such a roll call vote has been requested and
15 shall state the question to be put to the senate. The
16 president then shall direct the secretary of the senate to
17 receive the votes.

18 Senators present may cast their votes, either by oper-
19 ating the voting mechanism located at their assigned desk
20 or by signaling the president if they are unable to vote at
21 their assigned desk. The president shall enter the votes
22 of senators signaling their votes.

23 After sufficient time has elapsed for all senators present
24 to record their votes, the president shall direct the secretary
25 of the senate to close the voting system. The president shall
26 still enter the senators' votes at any time prior to directing
27 the secretary to lock the voting system. The president shall
28 then immediately announce the vote.

29 During a non-record or record roll call vote, both
30 individual votes and vote totals shall be indicated openly

31 on the display boards. On non-record roll calls, only vote
32 totals shall be printed in the journal.

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

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1 the senators in alphabetical order.

2 Rule 23

3 Duty of voting

4 Every senator present when a question is put shall vote
5 "aye", "no" or "present" unless previously excused by the
6 senate. Upon demand being made by any senator, the secretary
7 shall call in alphabetical order the names of the senators
8 not voting or voting "present". Those senators called shall
9 vote "aye" or "no" unless the senator states a personal
10 interest in the question or concludes that he or she should
11 not vote under the senate code of ethics.

12 Rule 24

13 Reconsideration

14 When a main motion or main question has been decided by
15 the senate, any senator having voted on the prevailing side
16 may move to reconsider the vote on the same or next legislative
17 day. Motions to reconsider a vote by which a bill or joint
18 resolution was adopted on final passage shall be in writing
19 and filed with the secretary of the senate. A motion to
20 reconsider an amendment to a main motion or main question
21 shall be in writing and filed with the Secretary of the Senate.
22 A motion to reconsider an amendment to a main motion or main
23 question shall be taken up for consideration only prior to
24 the disposition of the main question or upon reconsideration
25 of the main question. A constitutional majority is necessary
26 to reconsider a bill or joint resolution. During three
27 legislative days from the date the motion to reconsider a
28 bill or resolution is filed, only the mover may call it up.
29 Thereafter, any senator may call up the motion. If a date
30 for adjournment has been set by resolution of the senate,
31 any senator may call up a motion to reconsider at any time
32 within three days prior to the date set for adjournment.

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

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1 A motion that any action taken by the senate be reconsidered
2 and the motion to reconsider be laid upon the table shall
3 be a single and indivisible motion, known as the double-
4 barreled motion, which, if carried, shall have the effect

5 of preventing reconsideration unless a motion to take from
6 the table prevails. A constitutional majority is necessary
7 for the double-barreled motion to prevail on a bill or joint
8 resolution. The double-barreled motion can only be made from
9 the floor after the vote is announced and the member who moved
10 the final reading shall have priority in making it.

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

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

19 Rule 25

20 Suspension of Rules and Taking from Table

21 No standing rule or rules incorporated by reference under
22 Rule 3 or order of the senate shall be rescinded or suspended,
23 nor shall any matter, tabled upon motion, be taken up, except
24 by an affirmative vote of twenty-six or more senators.

25 INTRODUCTION AND FORM OF BILLS

26 Rule 26

27 Time and Method of Introducing Bills and Amendments

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

32 All amendments shall be typed in proper form and filed
33 with the secretary of the senate not later than 4:30 p.m.,
34 or adjournment, whichever is later.

35 An "impact amendment" is an amendment which reasonably

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1 could have an annual effect of at least one hundred thousand
2 dollars or a combined total effect within five years after
3 enactment of five hundred thousand dollars or more on the
4 aggregate revenues, expenditures or fiscal liability of the
5 state or its subdivisions.

6 An impact amendment to a bill which has been on the special
7 order calendar for at least three (3) full legislative days
8 prior to its consideration shall not be taken up by the senate
9 unless:

10 1) a fiscal note is attached thereto, and the amendment
11 is filed at least one (1) legislative day prior to the date
12 set for consideration of the bill; or

13 2) the amendment is an appropriation or other measure
14 where the total effect is stated in dollar amounts.

15 Rule 27

16 Limit on Introduction of Bills

17 No bill or joint resolution, except bills and joint
 18 resolutions cosponsored by the majority and minority floor
 19 leaders, shall be introduced in the senate after 4:00 p.m.
 20 on Friday of the seventh week of the first regular session
 21 of a general assembly unless a written request for drafting
 22 the bill has been filed with the legislative service bureau
 23 before that time. After adjournment of the first regular
 24 session, bills may be prefiled at any time before the convening
 25 of the second regular session. No bill shall be introduced
 26 after 4:00 p.m. on Friday of the second week of the second
 27 regular session of a general assembly unless a written request
 28 for drafting the bill has been filed with the legislative
 29 service bureau before that time. However, standing committees
 30 may introduce bills and joint resolutions at any time. Senate
 31 and concurrent resolutions may be introduced at any time.
 32 No bill, joint resolution, concurrent resolution or senate
 33 resolution shall be introduced at any extraordinary session
 34 unless sponsored by a standing committee or the committee
 35 of the whole.

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1 Rule 28
 2 Introduction, Reading and Form of Bills and Resolutions
 3 Every senate bill and resolution shall be introduced by
 4 one or more senators or by any standing committee of the
 5 senate and shall at once be given its first reading.
 6 If the senate is in session when a bill or resolution is
 7 introduced, the first reading shall consist of reading its
 8 file number, the title and sponsor of the bill. If the senate
 9 is not in session but a journal is published for the day,
 10 the first reading shall consist of a journal entry of the
 11 bill's file number, title, sponsor and the notation "Read
 12 first time under Rule 28."
 13 Any bill or resolution approved for introduction by a
 14 standing committee during an interim period between sessions
 15 of one General Assembly shall be introduced without further
 16 action by the committee at the next succeeding regular session
 17 of the same General Assembly and placed immediately upon the
 18 regular calendar.

19 Every bill and resolution referred to committee shall have
 20 received two readings before its passage.

21 The subject of every bill shall be expressed in its title.

22 Rule 29

23 Explanations

24 No bill, except appropriation committee bills *and simple*
 25 *or concurrent resolutions*, shall be introduced unless a concise
 26 and accurate explanation is attached. The chief sponsor or
 27 a committee to which the bill has been referred may add a

28 revised explanation at any time before the last reading, and
 29 it shall be included in the daily clip sheet.

30 Rule 30

31 Resolutions

32 1. A "senate resolution" is a resolution acted upon only
 33 by the senate which expresses sentiment or is used for the
 34 appointment of special committees within the senate. A senate
 35 resolution requires the affirmative vote of a majority of

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1 the senators present and voting. It shall be filed with the
 2 secretary of the senate and printed in the journal.

3 2. A "concurrent resolution" is a resolution to be adopted
 4 by both houses of the general assembly which expresses the
 5 sentiment of the general assembly or deals with temporary
 6 legislative matters. It may authorize the expenditure, for
 7 any legislative purpose, of funds appropriated to the general
 8 assembly. A concurrent resolution is not limited to, but
 9 may provide for a joint convention of the general assembly,
 10 adjournment or recess of the general assembly, or requests
 11 to a state agency or to the general assembly or a committee.
 12 A concurrent resolution requires the affirmative vote of a
 13 majority of the senators present and voting and shall not
 14 be transmitted to the governor. It shall be filed with the
 15 secretary of the senate and printed in the journal.

16 3. A "joint resolution" is a resolution which requires
 17 for approval the affirmative vote of a constitutional majority
 18 of each house of the general assembly. A joint resolution
 19 which appropriates funds or enacts temporary laws must contain
 20 the clause "Be It Enacted by the General Assembly of the State
 21 of Iowa:", is equivalent to a bill, and must be transmitted
 22 to the governor for his approval. A joint resolution which
 23 proposes amendments to the Constitution of the State of Iowa,
 24 ratifies amendments to the Constitution of the United States,
 25 proposes a request to Congress or an agency of the government
 26 of the United States of America, proposes to Congress an
 27 amendment to the Constitution of the United States of America,
 28 or creates a special commission or committee must contain
 29 the clause "Be It Resolved by the General Assembly of the
 30 State of Iowa:" and shall not be transmitted to the governor.
 31 No joint resolution shall amend a statute in the Code of Iowa.

32 Rule 31

33 Resolutions, Applicable Rules

34 All rules applicable to bills shall apply to resolutions,
 35 except as otherwise provided in the rules.

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1 Rule 32
 2 Study Bills

3 1. A study bill is any matter which a senator wishes to
4 have considered by a standing committee or appropriations
5 subcommittee for introduction as a committee bill or
6 resolution. The term "study bill" includes "bill drafts"
7 provided for in Rule 36.

8 2. Upon first receiving a study bill from a senator, a
9 committee chairperson shall submit three copies to the
10 secretary of the senate. The secretary shall number such
11 bills in consecutive order. The secretary shall maintain
12 a record of all study bills and their assigned number.
13 Committee records shall refer to study bills by the number
14 assigned by the secretary.

15 3. The secretary shall file a report in the journal of
16 each study bill received. The report shall show the study
17 bill number, its title or subject matter and the committee
18 which is considering it. If a study bill is referred to a
19 subcommittee, then the committee chairperson shall report
20 in the journal the names of the subcommittee members to which
21 it is assigned.

22 4. If a committee bill or resolution is introduced which
23 was not previously the subject of a study bill in the
24 sponsoring committee, the majority leadership may re-refer
25 the bill back to the committee.

26 COMMITTEES AND COMMITMENT

27 Rule 33

28 Committee Appointments

29 Committee appointments shall be made by the president after
30 consultation with the leadership of the minority political
31 party. No senator shall serve on more than five committees.
32 The president shall designate the chairperson and vice-
33 chairperson of each standing committee. The minority leader
34 shall designate the ranking member of each standing committee
35 from the minority membership of that committee appointed by

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1 the president.

2 The vice-chairperson appointed by this rule is the "ranking
3 member" for the purposes of section two point fourteen (2.14),
4 [paragraph] subsection one (1), Code [1977] 1981.

5 Rule 34

6 Standing Committees

7 The names of the standing committees of the senate shall be:
8 Agriculture
9 Appropriations
10 Cities
11 Commerce
12 County government
13 Education
14 Energy
15 Labor and industrial relations
16 Human resources
17 Judiciary

18 Natural resources
 19 Rules and administration
 20 State government
 21 Transportation
 22 Ways and means

23 Rule 35

24 Committee on Rules and Administration
 25 The committee on rules and administration shall recommend
 26 rules and rule changes to the senate, shall hire senate
 27 employees, shall recommend salary scales for all senate
 28 employees, and shall oversee senate administration matters.
 29 The committee on rules and administration will select,
 30 for senate approval, an individual to serve as secretary of
 31 the senate.
 32 Upon authorization being given by the committee on rules
 33 and administration, the minority party members of the committee
 34 will select, for senate approval, an individual to serve as
 35 assistant secretary of the senate.

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1 Rule 36

2 Appropriations Committee
 3 The appropriations committee shall consist of fifteen
 4 members, nine of whom shall be members of the majority party
 5 and six of whom shall be members of the minority party. The
 6 appropriations committee shall receive bills committed to
 7 it and shall assign each to one of the appropriations
 8 subcommittees.
 9 There shall be [eight] *nine* appropriations subcommittees which shall be
 10 named:
 11 Claims
 12 *Corrections and Mental Health*
 13 Education
 14 Human Resources
 15 Social Services
 16 Natural Resources
 17 Regulatory and Finance
 18 State Government
 19 Transportation and Law Enforcement
 20 The appropriations subcommittees shall receive bills
 21 assigned to them or may originate draft bills for sponsorship
 22 by the appropriations subcommittees which are within the
 23 subcommittee's jurisdiction as defined by the appropriations
 24 committee. After appropriate consideration of the bill, each
 25 subcommittee may submit bills together with the subcommittee's
 26 recommended action and any amendments to the appropriations
 27 committee.
 28 If bills or bill drafts are first submitted by an
 29 appropriations subcommittee to the appropriations committee

30 prior to March 15th of each year, the appropriations committee
 31 may either approve the bill and report or re-refer it together
 32 with the appropriations committee's objections to the
 33 appropriations subcommittee from which it was originally
 34 referred or which originated the draft bill.
 35 If a bill or bill draft is submitted to the appropriations

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1 committee a second time by an appropriations subcommittee
 2 or any bill or bill draft submitted on or after March 15th
 3 of each year, the appropriations committee may:
 4 1. approve the bill or bill draft and report it;
 5 2. approve the bill or bill draft with amendments and
 6 report it with the amendments;
 7 3. draft a new bill for sponsorship by the appropriations
 8 committee and report it; or
 9 4. re-refer it together with the appropriations committee's
 10 objections to the appropriations subcommittee from which it
 11 was originally referred or which originated the draft bill.
 12 Draft bills sponsored by appropriations subcommittees shall
 13 be introduced only upon approval of the appropriations
 14 committee.
 15 The appropriations committee is authorized to meet anytime
 16 upon call of the chairperson to:
 17 1. Act upon bills or bill drafts submitted to it by
 18 appropriations subcommittees as provided by this rule.
 19 2. Prepare, review or revise a proposed legislative budget.
 20 3. After March 15, initiate any bill relating to budget
 21 or appropriation matters.
 22 The appropriations committee may meet jointly with the
 23 appropriations committee of the house of representatives.

Rule 37

First Reading and Commitment

24
 25
 26 Upon the first reading of an individual bill or resolution,
 27 or a house committee bill or resolution, the president shall
 28 refer the bill or resolution to an appropriate standing
 29 committee unless otherwise ordered by the senate. If the
 30 bill or resolution is a senate committee bill or resolution,
 31 the president shall place it on the calendar after its first
 32 reading. If the subject of the bill or resolution is not
 33 germane to the title of the committee presenting it, the
 34 president or the senate may refer it to a committee deemed
 35 appropriate.

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1 All bills carrying an appropriation for any purpose or
 2 involving the expenditure of state funds shall be referred
 3 to the committee on appropriations.
 4 All bills pertaining to the levy, assessment or collection

5 of taxes shall be referred to the committee on ways and means.
6 Any bill which provides for a new state board, commission,
7 agency or department or makes separate or autonomous an exist-
8 ing state board, commission, agency or department, shall be
9 referred to the committee on state government. This rule
10 shall also apply when such a provision is added to a bill
11 or resolution by amendment adopted by the senate. If the
12 bill or resolution is so referred after being sponsored or
13 reported out by another committee, and if the committee on
14 state government does not report out the bill or resolution
15 within ten legislative days after referral, the bill or
16 resolution shall automatically be restored to the calendar
17 with the same priority it had immediately before referral.

18 Rule 38

19 Rules for Standing Committees

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

- 23 1. A majority of the members shall constitute a quorum.
- 24 2. The chair of a committee shall refer each bill and
25 resolution to a subcommittee within seven days after the bill
26 or resolution has been referred to the committee. The chair
27 may appoint subcommittees for study of bills and resolutions
28 without calling a meeting of the committee, but the
29 subcommittee must be announced at the next meeting of the
30 committee. No bill or resolution shall be reported out of
31 a committee until the next meeting after the subcommittee
32 is announced, except that the chair of the appropriations
33 committee may make the announcement of the assignment to a
34 subcommittee by placing a notice in the journal. Any bill
35 so assigned by the appropriations committee chair shall be

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1 eligible for consideration by the committee upon report of
2 the subcommittee but not sooner than three legislative days
3 following the publication of the announcement in the journal.

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

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

14 3. No bill or resolution shall be considered by a committee
15 until it has been referred to a subcommittee and the

16 subcommittee has made its report unless otherwise ordered
17 by a majority of the members.

18 4. The rules adopted by a committee, including these
19 rules, may be suspended by an affirmative vote of a majority
20 of the members.

21 5. The affirmative vote of a majority of the members of
22 a committee is needed to sponsor a committee bill or resolution
23 or to report a bill or resolution out for passage.

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

26 7. No committee, except a conference committee, is
27 authorized to meet when the senate is in session.

28 Rule 39

29 Voting in Committee

30 All committee meetings shall be open at all times. Voting
31 by secret ballot is prohibited. Roll call votes shall be
32 taken in each committee when final action on any bill or
33 resolution is voted, or at the request of a member upon any
34 amendment or motion. All results shall be entered in the
35 minutes which shall be public records. Records of these votes

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1 shall be made available by the chair or the committee secretary
2 at any time. This rule also applies to the steering committee
3 and appropriations subcommittees.

4 The committee shall not authorize the introduction of a
5 committee bill or resolution until the members have received
6 final copies of the bill or resolution with amendments
7 incorporated, and typed into proper form by the legislative
8 service bureau, provided that the committee can, by unanimous
9 consent, dispense with this requirement when only technical
10 amendments are necessary to correct the substance of a bill
11 or resolution.

12 Rule 40

13 Announcement of Committee Meetings

14 It shall be in order for the chair of any committee to
15 announce to the senate the time and place of committee
16 meetings. The announcement shall include a proposed agenda
17 for the meeting. The sergeant-at-arms shall post at the rear
18 of the chamber the daily schedule of committee meetings.

19 Rule 41

20 Withdrawal of Bills and Resolutions from Committee

21 The secretary of the senate shall note on each bill and
22 resolution the date of its reference to committee. No bill
23 or resolution shall be withdrawn from any committee within
24 fifteen legislative days after the bill or resolution has
25 been referred to the committee and thereafter only upon written
26 petition for the withdrawal of such bill or resolution signed

27 by a constitutional majority of the senators, except as
28 provided in Rule 36. Only senators may circulate such a
29 petition.

30 Rule 42

31 Committee Reports

32 All committees shall file a report with the secretary of
33 the senate of committee meetings. Such reports shall contain
34 the following information:

35 a. The time the meeting convened;

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1 b. Those senators who were present and absent at the time
2 the meeting convened, as well as the time any senator, who
3 was not present at the time the meeting convened, arrives
4 for the meeting;

5 c. The vote on any bill reported out of the committee
6 for floor action;

7 d. The title of the bill;

8 e. The file number of the bill (if known);

9 f. Whether the committee recommends that the bill be
10 passed, amended and passed, indefinitely postponed, or without
11 recommendation;

12 g. An indication of other bills or matters discussed;

13 h. Such other matters as the committee chair shall direct;
14 and

15 i. The time the meeting adjourned.

16 No committee report shall be read, but all committee reports
17 shall be printed by the secretary in the journal. Upon
18 printing, all committee reports shall then stand approved
19 unless the senate directs otherwise.

20 Rule 43

21 Bills or Resolutions Recommended for Indefinite Postponement

22 When a question is postponed indefinitely, it shall not
23 be again acted upon during that general assembly. If a bill
24 or resolution is reported back from a committee recommending
25 indefinite postponement, the report shall be placed on the
26 calendar and shall be disposed of within three legislative
27 days. If not, the committee recommendation shall be considered
28 adopted. However, no senate bill or resolution recommended
29 for indefinite postponement shall be considered in the absence
30 of the chief sponsor or, if a house bill or resolution, in
31 the absence of the senator representing the district in which
32 the sponsor resides. If a committee report recommends
33 indefinite postponement, it shall require a vote of thirty-
34 four senators to prevent indefinite postponement, and debate
35 shall be limited to ten minutes on each side.

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GENERAL RULES

Rule 44

Admission to Senate Chamber
and Prohibition of Lobbying

1 While the senate is in session and for a period of fifteen
 2 minutes before the convening of any session and fifteen minutes
 3 after the daily adjournment, only legislators, employees of
 4 the senate, authorized senate interns, immediate families
 5 of senators, doctor of the day, minister of the day, and their
 6 immediate families and aides to senators shall be allowed
 7 in the senate chamber. Employees of the legislative service
 8 bureau authorized by its director and employees of the
 9 legislative fiscal bureau authorized by its director shall
 10 be allowed in the senate chamber. A person or group
 11 accompanied by a senator or persons going directly to committee
 12 meetings may be admitted during recess. Former legislators
 13 not registered as lobbyists in either house shall also be
 14 admitted to the senate floor. News reporters shall be
 15 permitted to occupy the seats assigned for the press and to
 16 go to or from those seats. No other persons shall be allowed
 17 on the senate floor without express permission of the presiding
 18 officer of the senate. The presiding officer shall require
 19 persons normally allowed in the senate chamber, other than
 20 senators, to leave the chamber if they are not at that time
 21 necessary for the senate's business.

Rule 45

Legislative Interns and Aides

22 Legislative interns for senators shall be allowed on the
 23 floor of the senate in accordance with Rule 44; provided that
 24 each intern first has been approved by the joint legislative
 25 intern committee and the intern has obtained a name badge
 26 from the secretary of the senate. The secretary of the senate
 27 shall issue an appropriate name badge to all interns for
 28 senators approved by the joint legislative intern committee.
 29 In addition, those persons designated as "aides to senators"

Page 27

1 shall be allowed on the floor of the senate, provided that
 2 such individual first has been approved by the two senators
 3 serving on the joint legislative intern committee and the
 4 secretary of the senate, or designee on the joint committee.
 5 The secretary of the senate shall issue an appropriate name
 6 badge for such individuals.

Rule 46

Clearing of Lobby and Gallery

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

11 Rule 47
 12 Presentation of Petitions
 13 Each petition shall contain a brief statement of its subject
 14 matter and the name of the senator presenting it. Petitions
 15 shall be filed with the secretary of the senate and shall
 16 be noted in the journal.

17 Rule 48
 18 Distribution of Printed Material
 19 No general distribution of printed material in the senate
 20 shall be allowed unless authorized by the secretary of the
 21 senate or by a senator.

22 Rule 49
 23 Concerning the Printing of Papers
 24 Any paper, other than that contemplated by Section 10,
 25 Article III of the Constitution of the State of Iowa, presented
 26 to the senate may, with the consent of a constitutional
 27 majority, be printed in the journal.

28 Rule 50
 29 Reprinting of Bills
 30 When any bill has been substantially amended by the senate,
 31 the secretary of the senate shall order the bill reprinted
 32 on paper of a different color. All adopted amendments
 33 inserting new material shall be distinguishable.
 34 The secretary of the senate may order the printing of a
 35 reasonable number of additional copies of the bill, resolution,

Page 28

1 amendment, or journal.

2 OFFICERS AND EMPLOYEES

3 Rule 51

4 Duties of the President
 5 The president shall call the senate to order at the hour
 6 to which the senate is adjourned. Unless otherwise ordered
 7 by the senate, the president shall proceed with the regular
 8 order of daily business. The president shall preserve order
 9 and decorum and decide all questions of order and corrections
 10 to the journal, subject to an appeal to the senate.

11 Rule 52

12 The President Pro Tempore
 13 The senate shall elect a president pro tempore. When the
 14 president is absent, the president pro tempore shall preside,
 15 except when the chair is filled by temporary appointment by
 16 the president.

17 Rule 53

18 Secretary of the Senate
 19 The secretary of the senate shall be an officer of the
 20 senate and shall:

- 21 1. Serve as chief administrative officer of the senate.
- 22 2. Have charge of the secretary's desk.

- 23 3. Be responsible for the custody and safekeeping of all
 24 bills, resolutions, and amendments filed, except while they
 25 are in the custody of a committee.
 26 4. Have charge of the daily journal.
 27 5. Have control of all rooms assigned for the use of the
 28 senate.
 29 6. Keep a detailed record of senate action on all bills
 30 and resolutions.
 31 7. Process the handling of amendments when filed and
 32 during the floor consideration of bills.
 33 8. Insert adopted amendments into bills before transmittal
 34 to the house of representatives and prior to final enrollment.
 35 9. Prescribe the duties of and supervise all senate

Page 29

- 1 employees.
 2 10. Serve as parliamentarian for the senate.
 3 Rule 54
 4 Legal Counsel
 5 The legal counsel shall be an employee of the senate and
 6 shall:
 7 1. Serve as attorney and counselor for the senate.
 8 2. Supervise the legal counsel's office.
 9 3. Clear all bills, resolutions, and amendments as to
 10 proper form prior to introduction.
 11 4. At the request of any senator, the president or the
 12 secretary of the senate research any legal issue in which
 13 that individual has an interest. However the legal counsel
 14 shall not issue nor venture any opinions on unresolved
 15 questions of law unless permitted by both the majority and
 16 minority leaders.

Rule 55

Sergeant-at-Arms

- 17
 18
 19 The sergeant-at-arms shall be an employee of the senate
 20 and shall:
 21 1. Wear the appropriate badge of his *or her* office.
 22 2. Attend the senate during its sessions.
 23 3. Aid in the enforcement of order under the direction
 24 of the president of the senate and the secretary of the senate.
 25 4. Execute the commands of the senate.
 26 5. See that no unauthorized person disturbs the contents
 27 of the senators' desks.
 28 6. Supervise the doorkeepers, the assistant sergeant-at-
 29 arms, and pages.
 30 7. Announce all delegations from the governor or house.
 31 8. Supervise the seating of visitors and press represent-
 32 atives.

Rule 56

Senate Secretaries

33
34

35 Every senator shall be permitted to employ for each session

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1 of a general assembly a personally selected secretary.

2 Rule 57

3 Use of Electronic Voting System

4 Any officer or employee of the senate, other than a duly
5 elected member of the senate, who operates the electronic
6 voting machine mechanism located at the desk of said member
7 of the senate shall be subject to immediate termination from
8 employment. The provisions of this paragraph only shall apply
9 during the taking of a roll call vote utilizing the electronic
10 voting system.

11 CONFIRMATION OF APPOINTMENTS

12 Rule 58

13 Appointments

14 The secretary of the senate shall maintain a file of all
15 appointments received from the governor for confirmation.
16 The file shall show the date an appointment was received from
17 the governor, whether the appointment letter was read to the
18 senate, whether the nominee has been introduced, and whether
19 a committee report has been filed.

20 *INVESTIGATING COMMITTEES.* All appointments received from
21 the governor shall be referred to the rules and administration
22 committee by the secretary of the senate on the same day they
23 are read to the senate. The rules and administration committee
24 shall establish an en bloc confirmation calendar which must
25 be filed with the secretary of the senate. Within five (5)
26 legislative days after receiving an appointment, the committee
27 shall either place a nominee on the en bloc confirmation
28 calendar or assign the nominee to an appropriate standing
29 committee for further investigation. If the rules and
30 administration committee fails to take action on a nominee
31 within the five (5) days, the nominee shall automatically
32 be placed on the en bloc confirmation calendar.

33 Within the five (5) legislative days after an appointment
34 has been referred to the rules and administration committee,
35 any ten senators may require that the nominee be assigned

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1 to an appropriate standing committee by filing a written,
2 signed request therefor with the chairperson of the rules
3 and administration committee.

4 Within ten (10) legislative days after a standing committee
5 receives an appointment for further investigation, the
6 committee shall conduct an investigation of the nominee and
7 file its report thereon with the secretary of the senate,
8 who shall then place the nominee on the individual confirmation
9 calendar. The failure of a committee to file its report
10 within the prescribed time means that the nominee is to be

11 automatically placed, without recommendation, upon the
12 individual confirmation calendar.

13 [Any senator of either the rules and administration committee
14 or any investigating committee may request that a nominee
15 be introduced to the full senate prior to a vote on
16 confirmation of the nominee.] *Any senator within five (5)
17 days following a nominee's name being published in the journal
18 may request that said nominee be introduced to the full senate
19 by submitting a written request with the secretary of the
20 senate. In any event, all nominees who are referred by the
21 rules and administration committee to a standing committee
22 shall be introduced to the full senate prior to a vote on
23 confirmation of the nominee.*

24 **HEARINGS.** Any member of a committee investigating an
25 appointment may obtain a hearing with the nominee by filing
26 a written request with the chair of the investigating committee
27 within five (5) legislative days after the committee receives
28 the appointment. At the hearing, the nominee may be questioned
29 as to his or her qualifications to fulfill the office to which
30 nominated and further questioned as to his or her viewpoints
31 on issues facing the office to which nominated. The public
32 may, at the discretion of the investigating committee, be
33 permitted to submit oral or written statements as to the
34 qualifications of the nominee.

35 Also, within five (5) days after the investigating committee

Page 32

1 receives an appointment for investigation, any senator may
2 submit written questions to be answered by the nominee prior
3 to consideration of the nominee's confirmation by the senate.

4 **VOTING ON CONFIRMATIONS.** Upon the motion of the majority
5 leader or his or her designee, the nominees on the en bloc
6 confirmation calendar shall be confirmed en bloc by the
7 affirmative vote of two-thirds of the members elected to the
8 senate. The journal shall reflect a single roll call
9 accompanied by a statement of the names of those individuals
10 subject to the en bloc confirmation vote.

11 Prior to an en bloc vote, any senator may orally request
12 an individual vote on any nominee on the en bloc confirmation
13 calendar. The senate shall then vote separately on the
14 nominee.

15 Nominees on the individual confirmation calendar shall
16 be confirmed by a two-thirds vote; however, the senate shall
17 take a separate roll call on each nominee, unless by unanimous
18 consent, it determines to take one vote on all nominees under
19 consideration. In any case, the journal shall reflect a
20 single roll call vote for each nominee.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 1, by Rush, a bill for an act relating to the limitation on garnishment.

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

Senate File 2, by Gratias, a bill for an act to extend the coverage of the open meetings law to the boards of directors of private nonprofit corporations which operate as substance abuse facilities or community mental health centers.

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

Senate File 3, by Priebe, a bill for an act relating to the servicing of state-owned motor vehicles in the motor pool.

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

Senate File 4, by Priebe, a bill for an act establishing a family farm lease program and making an appropriation.

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

Senate File 5, by Priebe, a bill for an act relating to a special licensing classification for certain residential care facilities.

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

Senate File 6, by Priebe, a bill for an act to require the secretary of the executive council to coordinate state travel of state personnel.

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

Senate File 7, by Priebe, a bill for an act relating to the employment of private consultants by state departments and providing for the recovery of misappropriated funds.

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

Senate File 8, by Miller of Des Moines, a bill for an act to provide medical assistance to the low-income elderly for certain dental services.

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

Senate File 9, by Priebe, a bill for an act relating to the recovery of costs and attorney's fees in actions to recover payment on a check.

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

Senate File 10, by Priebe, a bill for an act requiring that individual and group policies of accident and health insurance provide coverage for the treatment of chemical dependency and substance abuse on substantially the same basis as other health care coverages and making penalties applicable.

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

Senate File 11, by Holden, a bill for an act relating to the granting of probation for violations of operating a motor vehicle while under the influence of an alcoholic beverage or a drug.

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

Senate File 12, by Holden, a bill for an act to prohibit the use of deferred judgments or sentences for the offense of operating a motor vehicle while under the influence.

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

Senate File 13, by Holden, a bill for an act relating to deposit of public funds.

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

Senate File 14, by Taylor, a bill for an act relating to the valuation of land used for wildlife habitat purposes.

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

Senate File 15, by Taylor, a bill for an act relating to unlawful picketing and making penalties applicable.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 11:35 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Branstad 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 January 12, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a resolution providing for a joint convention on Tuesday, January 13, 1981, at 10:00 a.m. and that Governor Ray be invited to deliver his condition of the state message.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 1

By: Pope

- 1 *Be It Resolved by the House of Representatives,*
2 *The Senate Concurring, That a joint convention of the two*
3 *houses of the Sixty-ninth General Assembly be held on*
4 *January 13, 1981, at 10:00 a.m.; and*
5 *Be It Further Resolved, That Governor Robert D. Ray*
6 *be invited to deliver his condition of the state message*
7 *at this joint convention of the two houses of the General*
8 *Assembly and that the Speaker of the House of Representatives*
9 *and the President of the Senate be designated to deliver*
10 *the invitation to him.*

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

ADOPTION OF RESOLUTION

House Concurrent Resolution 1

Senator Hultman asked and received unanimous consent to take up for immediate consideration, House Concurrent Resolution 1.

Senator Hultman moved the adoption of House Concurrent Resolution 1.

The motion prevailed by a voice vote and the resolution was adopted.

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

The Senate resumed session, President Branstad presiding.

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.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Hester 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.

APPENDIX

INTRODUCTION OF BILLS

Senate File 16, by Taylor, a bill for an act relating to the duties and privileges of emergency volunteers and making penalties applicable.

Read first time under **Rule 28 and passed on file.**

Senate File 17, by Goodwin, a bill for an act providing for the designation of handicapped parking spaces and providing a penalty.

Read first time under **Rule 28 and passed on file.**

Senate File 18, by Baugher, a bill for an act providing for cities and counties to impose a local sales, services and use tax and use the proceeds for property tax relief, and incorporating penalties.

Read first time under **Rule 28 and passed on file.**

Senate File 19, by Priebe, a bill for an act providing a property tax exemption for property used to manufacture alcohol fuel from agricultural products.

Read first time under **Rule 28 and passed on file.**

Senate File 20, by Junkins, a bill for an act relating to a computerized registration system for motor vehicles, vessels, and snowmobiles.

Read first time under **Rule 28 and passed on file.**

Senate File 21, by Priebe, a bill for an act increasing the individual exemptions allowed for a surviving spouse, son, daughter, father, mother and other lineal descendant in computing the state inheritance tax and providing a January 1 effective date.

Read first time under **Rule 28 and passed on file.**

Senate File 22, by DeKoster, a bill for an act relating to the selection of official county newspapers.

Read first time under **Rule 28 and passed on file.**

Senate File 23, by Miller of Des Moines, a bill for an act relating to the filing dates for a claim for credit for property taxes due on real property owned by the elderly or disabled.

Read first time under **Rule 28** and passed on file.

Senate File 24, by Holden, a bill for an act relating to the requirement that plans and specifications for new health care facilities and remodeling of or additions to existing health care facilities be submitted to the department of health for preliminary inspection and approval or recommendations.

Read first time under **Rule 28** and passed on file.

Senate File 25, by Miller of Des Moines, a bill for an act relating to the receiving and discharging of pupils from school buses.

Read first time under **Rule 28** and passed on file.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

President Branstad announced the following standing committee assignments for the Sixty-ninth General Assembly:

AGRICULTURE

Taylor Chairperson	Hutchins Ranking Member	Husak Miller, A.V.	Van Gilst Waldstein
Hester Vice Chairperson	Dreeszen Hulse	Vande Hoef	

APPROPRIATIONS

Murray Chairperson	Anderson Baugher	Hultman Jensen	Schwengels Slater
Tieden Vice Chairperson	Bisenius Carney	Junkins Ramsey	Small Van Gilst
Palmer Ranking Member	Deluhery	Rush	Waldstein Yenger

CITIES

Readering Chairperson	Miller, A.V. Ranking Member	Holden Kinley	Waldstein Wells
Comito Vice Chairperson	Carney	Slater	

COMMERCE

Holden Chairperson	Deluhery Ranking Member	Craft DeKoster	Jensen Priebe
Baughen Vice Chairperson	Comito	Husak	Rush

COUNTY GOVERNMENT

Briles Chairperson	Wells Ranking Member	Goodwin Hester	Priebe Vande Hoef
Waldstein Vice Chairperson	Brown	Miller, C.P.	Yenger

EDUCATION

Gratias Chairperson	Brown Ranking Member	DeKoster Dreeszen	Small Taylor
Carney Vice Chairperson	Anderson	Jensen	Wells

ENERGY

Ramsey Chairperson	Gallagher Ranking Member	Briles Doyle	Readinger Rodgers
Bisenius Vice Chairperson	Anderson	Kudart	Yenger

HUMAN RESOURCES

Gentleman Chairperson	Miller, C.P. Ranking Member	Drake Gratias	Nystrom Slater
Yenger Vice Chairperson	Carr Coleman	Hulse Miller, A.V.	Vande Hoef

JUDICIARY

DeKoster Chairperson	Rush Ranking Member	Coleman Deluhery	Lura Murray
Kudart Vice Chairperson	Baughen Carr	Doyle Dreeszen	Ramsey Small Taylor

LABOR AND INDUSTRIAL RELATIONS

Hulse Chairperson	Anderson Ranking Member	Goodwin Gratias	Kinley Wells
Carney Vice Chairperson	Brown	Hultman	

NATURAL RESOURCES

Schwengels Chairperson	Van Gilst Ranking Member	Gentleman Hutchins Kudart	Rodgers Tieden
Goodwin Vice Chairperson	Gallagher		

RULES AND ADMINISTRATION

Hultman Chairperson	Kinley Ranking Member	Holden Junkins	Ramsey
Hulse Vice Chairperson			

STATE GOVERNMENT

Nystrom Chairperson	Slater Ranking Member	Craft Drake	Hutchins Miller, C.P.
Lura Vice Chairperson	Briles Carr	Gallagher Gentleman	Palmer Schwengels Tieden

TRANSPORTATION

Drake Chairperson	Coleman Ranking Member	Comito Doyle Hutchins	Miller, A.V. Murray Nystrom
Jensen Vice Chairperson	Bisenius		

WAYS AND MEANS

Craft Chairperson	Rodgers Ranking Member	Husak Junkins	Ramsey Rush
Readinger Vice Chairperson	Hester Holden Hultman	Lura Palmer Priebe	Taylor Van Gilst

ANNOUNCEMENT OF SUBCOMMITTEE APPOINTMENTS

President Branstad announced the appointment of the following Appropriations subcommittee assignments for the Sixty-ninth General Assembly:

SENATE APPROPRIATIONS SUBCOMMITTEES

CLAIMS

Murray Chairperson	Small Ranking Member	Briles	Comito
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CORRECTIONS/MENTAL HEALTH

Baughner Chairperson	Doyle Ranking Member	DeKoster Deluhery	Gentleman
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EDUCATION

Carney Chairperson	Van Gilst Ranking Member	Dreeszen Hutchins	Nystrom
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HUMAN RESOURCES

Yenger Chairperson	Husak Ranking Member	Kudart Miller, A.V.	Readinger
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NATURAL RESOURCES

Tieden Chairperson	Priebe Ranking Member	Gallagher Goodwin	Hester
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REGULATORY AND FINANCE

Jensen Chairperson	Rush Ranking Member	Gratias Hulse	Miller, C.P.
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SOCIAL SERVICES

Waldstein Chairperson	Slater Ranking Member	Brown Craft	Vande Hoef
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STATE GOVERNMENT

Schwengels Chairperson	Carr Ranking Member	Lura Taylor	Wells
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TRANSPORTATION AND LAW ENFORCEMENT

Bisenius Chairperson	Coleman Ranking Member	Anderson Drake	Holden
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APPOINTMENTS BY THE MAJORITY
AND MINORITY LEADERS

SENATE ETHICS COMMITTEE

Appointed by Senator Hultman, Majority Leader

Taylor, Chairperson
Craft
Readinger

Appointed by Senator Junkins, Minority Leader

Kinley, Ranking Member
Deluhery

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

To The Senate of the Iowa General Assembly:

Pursuant to the provisions of section 68B.10, The Code, the undersigned, Chief Justice of the Supreme Court of Iowa, hereby reappoints 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.

Done this 8th day of January, 1981.

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

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 8th day of January, 1981.

LINDA HOWARTH MACKAY
Secretary of the Senate

SENATORS AND THEIR RESPECTIVE COMMITTEES
Sixty-Ninth General Assembly
1981 Session

SENATOR ANDERSON

Labor & Industrial Relations,
Ranking Member
Appropriations
Education
Energy
Transportation & Law Enforcement
Approp. Sub.

SENATOR BIENIUS

Energy, Vice Chair
Appropriations
Transportation
Transportation & Law Enforcement
Approp. Sub., Chair

SENATOR BROWN

Education, Ranking Member

SENATOR BAUGHER

Commerce, Vice Chair
Appropriations
Judiciary
Corrections & Mental Health
Approp. Sub., Chair

SENATOR BRILES

County Government, Chair
Energy
State Government
Claims Approp. Sub.

SENATOR CARNEY

Education, Vice Chair

County Government
 Labor & Industrial Relations
 Social Services Approp. Sub.

SENATOR CARR

Human Resources
 Judiciary
 State Government
 State Government Approp. Sub.,
 Ranking Member

SENATOR COMITO

Cities, Vice Chair
 Commerce
 Transportation
 Claims Approp. Sub.

SENATOR DeKOSTER

Judiciary, Chair
 Commerce
 Education
 Corrections & Mental Health
 Approp. Sub.

SENATOR DOYLE

Energy
 Judiciary
 Transportation
 Corrections & Mental Health
 Approp. Sub., Ranking Member

SENATOR DREESZEN

Agriculture
 Education
 Judiciary
 Education Approp. Sub.

SENATOR GENTLEMAN

Human Resources, Chair
 Natural Resources
 State Government
 Corrections & Mental Health
 Approp. Sub.

SENATOR GRATIAS

Education, Chair

Labor & Industrial Relations,
 Vice Chair
 Appropriations
 Cities
 Education Approp. Sub., Chair

SENATOR COLEMAN

Transportation, Ranking Member
 Human Resources
 Judiciary
 Transportation & Law Enforcement
 Approp. Sub., Ranking
 Member

SENATOR CRAFT

Ways and Means, Chair
 Commerce
 Ethics
 State Government
 Social Services Approp. Sub.

SENATOR DELUHERY

Commerce, Ranking Member
 Appropriations
 Ethics
 Judiciary
 Corrections & Mental Health
 Approp. Sub.

SENATOR DRAKE

Transportation, Chair
 Human Resources
 State Government
 Transportation & Law
 Enforcement Approp. Sub.

SENATOR GALLAGHER

Energy, Ranking Member
 Natural Resources
 State Government
 Natural Resources Approp. Sub.

SENATOR GOODWIN

Natural Resources, Vice Chair
 County Government
 Labor & Industrial Relations
 Natural Resources Approp. Sub.

SENATOR HESTER

Agriculture, Vice Chair

Human Resources
Labor & Industrial Relations
Regulatory & Finance Approp. Sub.

SENATOR HOLDEN

Commerce, Chair
Cities
Rules & Administration
Ways and Means
Transportation & Law Enforcement
Approp. Sub.

SENATOR HULTMAN

Rules & Administration, Chair
Appropriations
Labor & Industrial Relations
Ways and Means

SENATOR HUTCHINS

Agriculture, Ranking Member
Natural Resources
State Government
Transportation
Education Approp. Sub.

SENATOR JUNKINS

Appropriations
Rules & Administration
Ways and Means

SENATOR KUDART

Judiciary, Vice Chair
Energy
Natural Resources
Human Resources Approp. Sub.

SENATOR A. MILLER

Cities, Ranking Member
Agriculture
Human Resources
Transportation
Human Resources Approp. Sub.

SENATOR MURRAY

Appropriations, Chair
Judiciary

County Government
Ways and Means
Natural Resources Approp. Sub.

SENATOR HULSE

Labor & Industrial Relations,
Chair
Rules & Administration, Vice Chair
Agriculture
Human Resources
Regulatory & Finance
Approp. Sub.

SENATOR HUSAK

Agriculture
Commerce
Ways & Means
Human Resources Approp. Sub.,
Ranking Member

SENATOR JENSEN

Transportation, Vice Chair
Appropriations
Commerce
Education
Regulatory & Finance Approp.
Sub., Chair

SENATOR KINLEY

Ethics, Ranking Member
Rules & Administration, Ranking
Member
Cities
Labor & Industrial Relations

SENATOR LURA

State Government, Vice Chair
Judiciary
Ways and Means
State Government Approp. Sub.

SENATOR C. MILLER

Human Resources, Ranking Member
County Government
State Government
Regulatory & Finance Approp. Sub.

SENATOR NYSTROM

State Government, Chair
Human Resources

Transportation
Claims Approp. Sub., Chair

SENATOR PALMER

Appropriations, Ranking Member
State Government
Ways and Means

SENATOR RAMSEY

Energy, Chair
Appropriations
Judiciary
Rules & Administration
Ways and Means

SENATOR RODGERS

Ways and Means, Ranking Member
Energy
Natural Resources

SENATOR SCHWENGELS

Natural Resources, Chair
Appropriations
State Government
State Government Approp. Sub.,
Chair

SENATOR SMALL

Appropriations
Education
Judiciary
Claims Approp. Sub., Ranking
Member

SENATOR TIEDEN

Appropriations, Vice Chair
Natural Resources
State Government
Natural Resources Approp. Sub.,
Chair

SENATOR VAN GILST

Natural Resources, Ranking Member
Agriculture

Transportation
Education Approp. Sub.

SENATOR PRIEBE

Commerce
County Government
Ways and Means
Natural Resources Approp. Sub.,
Ranking Member

SENATOR READINGER

Cities, Chair
Ways and Means, Vice Chair
Energy
Ethics
Human Resources Approp. Sub.

SENATOR RUSH

Judiciary, Ranking Member
Appropriations
Commerce
Ways and Means
Regulatory & Finance Approp.
Sub., Ranking Member

SENATOR SLATER

State Government, Ranking Member
Appropriations
Cities
Human Resources
Social Services Approp. Sub.,
Ranking Member

SENATOR TAYLOR

Agriculture, Chair
Ethics
Education
Judiciary
Ways and Means
State Government Approp. Sub.

SENATOR VANDE HOEF

Agriculture
County Government
Human Resources
Social Services Approp. Sub.

SENATOR WALDSTEIN

County Government, Vice Chair
Agriculture

Appropriations
Ways and Means
Education Approp. Sub., Ranking
Member

SENATOR WELLS

County Government, Ranking Member
Cities
Education
Labor & Industrial Relations
State Government Approp. Sub.

Appropriations
Cities
Social Services Approp. Sub.,
Chair

SENATOR YENGER

Human Resources, Vice Chair
Appropriations
County Government
Energy
Human Resources Approp. Sub.,
Chair

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Branstad announced the following appointments to statutory committees:

IOWA BOUNDARY COMMISSION

Senator Jack Hester, appointed July 25, 1980, in accordance with Section 2.91, Code 1979, for a term commencing July 1, 1980, and ending June 30, 1984.

CONFIDENTIAL RECORDS COUNCIL

Senator Bob Carr, appointed May 22, 1980, in accordance with Section 692.19, Code 1979, to serve at the pleasure of the Lieutenant Governor.

**COMMISSION ON COMPENSATION, EXPENSES AND
SALARIES FOR ELECTED STATE OFFICIALS**

Dianne Mohler, Waterloo, appointed August 14, 1980, in accordance with Section 2A.1, Code 1979, for a term ending June 30, 1985.

William D. Scott, Cedar Rapids, appointed August 14, 1980, in accordance with Section 2A.1, Code 1979, for an unexpired portion of a term ending June 30, 1984.

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Lieutenant Governor:

On August 8, 1980, the final report of the special education evaluation for Lakeland Area Education Agency 3, pursuant to Section 281.9(6), Code 1979.

On October 22, 1980, the final report of the special education evaluation for Arrowhead Area Education Agency 5, pursuant to Section 281.9(6), Code 1979.

On December 3, 1980, the final report of the special education evaluation for Northern Trails Area Education Agency 2, pursuant to Section 281.9(6), Code 1979.

On December 19, 1980, the state radiation program plan prepared by the Interagency Coordinating Council on the State Department of Health, pursuant to Section 136B.4, Code 1979.

On December 20, 1980, the final report of the special education evaluation for Grant Wood Area Education Agency 10, pursuant to Section 281.9(6), Code 1979.

On December 29, 1980, the final report of the special education evaluation for the following agencies:

- Area Education Agency 6
- Green Valley Area Education Agency 14
- Heartland Area Education Agency 11
- Mississippi Bend Area Education Agency 9

The following communication was received in the office of the Secretary of the Senate:

DEPARTMENT OF SOCIAL SERVICES

A copy of the report "Foster Care in Iowa: A Closer Look". Copies are available upon request from the Department, Division of Operations Control.

STUDY BILLS RECEIVED

S.S.B. 1 Judiciary

Amendment to Uniform Residential Landlord and Tenant Act and Mobile Home Parks Residential Landlord and Tenant Act.

S.S.B. 2 Transportation

Relating to designation of handicapped parking spaces.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: January 12, 1981, 9:35 a.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Kinley, Ranking Member; Junkins, Holden and Ramsey.

Members Absent: none.

Final Bill Action: Senate Resolution 2, a resolution providing for the permanent rules of the Senate.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hultman, Hulse, Holden, Junkins, Kinley and Ramsey. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 9:45 a.m.

AMENDMENT FILED

S—3001	S. R.	2	Lowell L. Junkins Calvin O. Hultman
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ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 2:30 p.m., until 9:00 a.m., Tuesday, January 13, 1981.

EXPLANATION OF BRACKETS AND ITALICS PRINTED IN THE SENATE JOURNALS

When bills and amendments to 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. When amendments or references to bills or amendments to bills 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*.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 13, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by Dr. Joseph G. Grubbs, Administrative Assistant to the Governor, Des Moines, Iowa.

The Journal of Monday, January 12, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. A.J.R. Stueland, Mason City, Iowa.

INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Coleman, a joint resolution proposing an amendment to the Constitution of the state of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

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

Senate Joint Resolution 2, by Baugher and Holden, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to nullify a rule of a state agency by a resolution approved by three-fifths of the members of each house of the general assembly.

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

Senate File 26, by Priebe, a bill for an act requiring owners of motor vehicles to identify the drivers of the vehicles to peace officers, and providing a penalty.

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

Senate File 27, by Priebe, a bill for an act relating to the procurement or consumption of alcoholic beverages or beer by persons under legal age and making a penalty applicable.

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

Senate File 28, by Small, a bill for an act to allow instructional staff of a professional school to serve on the licensing board of that profession.

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

Senate File 29, by DeKoster, a bill for an act relating to the costs of providing a record of teacher contract termination proceedings.

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

Senate File 30, by Bisenius, a bill for an act limiting the amount of property taxes that can be raised annually to one percent of the actual value of the real property.

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

Senate File 31, by Priebe, a bill for an act exempting from the sales, services and use tax any tangible personal property or services which are subject to a federal excise tax.

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

Senate File 32, by Priebe, a bill for an act increasing the cigarette and tobacco tax and providing that the increase be appropriated to the counties to lower the tax levy for school district funds.

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

Senate File 33, by Baugher, a bill for an act relating to the sale of protective headgear to motorcycle and motorized bicycle operators, requiring the use of such headgear, and providing a penalty, to take effect January 1 following enactment.

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

Senate File 34, by Priebe, a bill for an act providing that where residence is a qualification for election to a public office, a person elected to that office may apply for a homestead tax credit during the term of office only in the county from which the person was elected to office.

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

Senate File 35, by Priebe, Holden and Tieden, a bill for an act relating to securing letters patent or copyright on inventions produced in board of regents' institutions from research funded in whole or in part by the state.

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

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

The Senate resumed session, President Branstad 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

In accordance with law and House Concurrent Resolution 1, duly adopted, the joint convention was called to order at 10:00 a.m., President Branstad presiding.

Senator Hultman 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 by a voice vote.

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

Senator Tieden 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 by a voice vote and the President appointed as such committee Senators Tieden, Miller of Cerro Gordo and Vande Hoef on the part of the Senate, and Representatives Crabb, Carpenter and Woods on the part of the House.

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

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

President Branstad then presented Governor Ray, who delivered the following condition of the state message:

MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, JUSTICES AND JUDGES, STATE OFFICIALS, SENATORS AND REPRESENTATIVES, GUESTS, AND FRIENDS:

Today marks the second day of the Sixty-ninth Iowa General Assembly on this, the 13th day of the New Year.

There is yet another number affixed to today. This is day number 437 for the American hostages in Iran.

At this moment, it is seven o'clock in the evening in Tehran. It is dark there. Hopefully, the hostages have had a decent dinner and will soon be preparing to go to sleep—to awaken on day number 438. We would like to think it will be their last day in captivity.

Iran is nine hours ahead of Iowa on the clock. It is 7,000 miles away from us on the globe. And the tragic events which have unfolded there reveal that Iran is light years removed from life and living as we know it here in Iowa.

You can be sure that our own Kathryn Koob is mindful of the stark differences between Iran and Iowa. Just as it is night there and day here, there are other, clear distinctions. Think about it with me:

In Iran, people live under tyranny. In Iowa, we have tolerance.

In Iran, people live in fear. In Iowa, we have hope.

In Iran, people live with hate. In Iowa, we have love.

If you viewed the satellite pictures from Iran during the Christmas weekend, and if you watched Kathryn Koob gently asking her nieces and nephews to sing the second verse of "Away in a Manger" with her, you had to have a tear in your eye and maybe a fuller, deeper, and stronger appreciation for Kathryn's home, our home—this State of Iowa in this free land, America.

While we pray for the quick and safe release of Kathryn Koob and the other 51 hostages, we should also acknowledge how fortunate we are to live here.

Indeed, it is our special privilege to be Iowans.

To you who are legislators, and to you in the executive and judicial branches of government, I say it is our very special privilege to serve Iowans.

The past year's stewardship of this state has not been easy. In fact, it has been extraordinarily difficult.

Like other Americans, we have, in effect, been held hostage by OPEC and by a mismanaged national economy. The economy has impacted all of us. And to a great extent, it can truly be said that national economic forces have set the current Condition of our State.

Iowans had a hard round of economic news in 1980. We sustained blow after blow after blow. Iowans who earned more income saw their increases wiped out by hyperinflation. Some didn't even have an income. They were caught by the recession—losing their jobs and their paychecks.

Iowans were also hamstrung by high interest rates, and they abandoned plans to buy homes and cars. As a result, construction plummeted, 62 Iowa auto dealers quit selling new cars, and many just locked the doors. Our farmers were victims of the

cost-price squeeze, and they endured the embargo on grain sales.

No matter where you looked—Main Street shops, corporate boardrooms, shopping malls, and union halls—there were signs of the economic slowdown.

Iowans had trouble making ends meet in 1980, and so did state government. When our revenues dropped off the cliff, it was up to us to respond. We did respond—not with an untimely tax increase, but with a hiring freeze and real cuts in state spending.

There was some consolation though—the knowledge that we were not alone. Other states were also ravaged by the economy, and their budgets were also cut—5 percent in South Dakota, 8.3 percent in Minnesota, 4.4 percent in Wisconsin, and by nearly \$1 billion in Michigan. Pennsylvania chopped \$100 million from its highway program. Ohio laid off 2,000 state workers and is seeking higher taxes. The list goes on and on.

Obviously, 1980 was a long year in many respects. Yet this morning, I can report there were several bright spots here in Iowa.

Once again our state was first in corn production, and we became number one in soybeans. We remained America's leader in pork production, and we ranked fourth in cattle feeding.

A record export total of over \$5 billion placed Iowa tenth among the states, supporting thousands of jobs and generating millions of dollars for Iowa's people.

Those exports were vital for yet another reason. They compensated for the \$3.5 billion bill we Iowans paid for energy imports in 1980. It took over 60 percent of Iowa's total corn revenue just to pay for the petroleum we used last year.

Energy will be extremely costly in the '80s. That explains why energy conservation continues to be a top priority in this administration. Because of energy conservation, Iowa consumers have avoided an additional \$700 million in costs for oil, electricity, and natural gas in 1980. The Energy Policy Council reports that the typical Iowa family has saved \$285 because of conservation.

We have good reason to be proud of what Iowans have done to save precious energy. Common Cause reports this state has one of the three best records of energy conservation in the nation. Part of that success story was an impressive 12 percent drop in gasoline consumption—tops in the country.

There are other excellent examples of Iowa's energy achievements.

We continued as America's leader in gasohol sales. And, despite the U.S. Department of Energy's questionable political games with federal loans, the future is promising for Iowa's booming alcohol fuels industry, with 15 alcohol plants on the drawing boards.

Iowa's coal industry also appears to be rebounding from a 60-year decline. Last fall I visited one of the two new coal washing plants in southern Iowa, and thanks to our experimental Coal Research Project, those ventures show Iowa coal mining is on the threshold of viability.

Consider also these other energy highlights from 1980:

* Residential natural gas usage declined, and the increased demand for electricity was only a fraction of the historic pattern.

* The unique utility peak-shaving plan pioneered in Osage with state help will surely save money for local consumers, and is a model which may be used by other communities.

* The Iowa National Guard received first place honors from the Pentagon for energy conservation.

Energy was just one element in Iowa's 1980 progress. There were many more accomplishments:

—Women continued to gain recognition in public service, and I warmly welcome Mary Jane Odell to her position as Secretary of the State, and I also welcome the seven women newly elected as members of this General Assembly.

—We created a novel Railroad Finance Authority, and Iowa's innovative branchline program has now upgraded 877 miles of track, still more than all the other states combined.

—Iowa's Social Services Department was cited by Washington for "superior performance" in the recovery of child support monies. Commissioner Mike Reagen and his agency also chalked up the lowest error rate ever in ADC payments, only 1.6 percent.

—Iowa farmers will soon receive special loan assistance from the Family Farm Development Authority, a priority from 1980 which you wisely adopted.

—Thousands of Iowans from all 99 counties volunteered for our tree-planting campaign called the "Plant Iowa Program". Indeed, people in Pottawattamie County were so enthusiastic they formed two county committees.

—The state's Conservation Commission acquired "The Mines of Spain", a treasured area of wooded land near Dubuque. And our thanks go to the new Iowa Natural Heritage Foundation, which has inspired so many Iowans to renew their interest in our natural resources.

—Plans were put in motion for this year's observance of the International Year of Disabled Persons and for a Blue-Ribbon Task Force review of health care costs.

All of this progress happened in 1980. All of it was positive. All of it helped sustain us through the year.

Our aim today is to build upon what we have already accomplished. But this is not the year to serve up new programs. We cannot afford the price tag.

This is a year to test our creativity, ingenuity, and resourcefulness. This is a time to do more with what we have.

Two weeks from Thursday I will present the Governor's Budget for 1982 and 1983. Like most family budgets, our budget will be stretched tight. It is essential you realize just how tight it is—and that an austere approach can be the only approach to budgeting this year.

In that speech, I will outline a set of specific appropriation requests to support, as best we can, some long-standing basic priorities of my administration—meeting human needs, offering quality education for young Iowans, funding roads, and preserving our soil and natural resources. In addition, I will submit a strategy for improving Iowa's correctional system.

All of these will be front-burner issues for your work this year, along with salaries for state employees. You will also have the relevant recommendations I forward to you today.

FIRST: ECONOMY IN GOVERNMENT

One year ago we received a series of money-saving suggestions from the Governor's Economy Committee '79. Little did we realize how important those ideas would be once our revenues started to drop.

Last year's legislature approved some key recommendations, such as consolidation of our Environmental Quality Commissions. And, I was pleased that you began to consider other proposals from Iowa's management experts.

I can also report there is cost-cutting momentum going for us in the executive branch. We have implemented 92 Economy Committee recommendations totaling \$10 million. We announced the "Valuable Ideas for Productivity" plan last week. And, I have directed state agencies to pursue additional money-saving ideas in 1981.

You, too, can do your part to help us make government even leaner and more efficient while still serving the people we represent.

I urge you to establish a State Department of Personnel, to combine occupational licensing boards, and to reorganize Iowa's mental health programs. Many other Economy Committee recommendations also merit your "yes" vote.

Iowa taxpayers will appreciate anything and everything we do to make government more cost-effective. Iowans want value from government. And they are looking to us for performance in 1981.

SECOND: ENERGY CONSERVATION AND UTILITY REFORM

Iowans have disciplined their demands for more and more energy. Many are truly interested in conserving, knowing there is a finite limit to most kinds of energy. All of us are interested in holding down energy expenses, knowing there is also a limit to how much we can pay. Certainly, we in state government understand that, which is why I established by Executive Order a Life Cycle Purchasing Committee. Its energy-saving report will benefit state and local officials—and the taxpayers—in the years ahead.

Iowa has been on the cutting edge of many energy issues. Dr. Ed Stanek and the Energy Policy Council have done some enterprising work with solar energy. We can easily anticipate greater use of solar energy and, indeed, we encourage it. The same sun that helps grow Iowa crops every summer can help heat Iowa homes every winter.

Today, I again offer two proposals to further boost solar energy in Iowa. I advocate legislation to affirm legal access to the sun, and I call for a property tax exemption for passive solar improvements.

To further conserve energy, I ask you to extend the protection of thermal and lighting efficiency standards for all new buildings which are heated or cooled.

As we start this new year, Iowans, especially elderly Iowans and those on fixed incomes, are conscious of and concerned about the costs of energy. So is the Iowa Commerce Commission. Last year, the Commerce Commission ordered \$12 million in utility rate refunds and increased the interest rate paid on refunds to consumers.

Nevertheless, this year we are prepared to do more to help our Iowans. Escalating costs dictate speedier resolution of utility cases to avoid unnecessary "pancaking" of increased rate requests. Most of this backlog is already being handled by the Commerce Commission, under the able direction of your former colleague, Chairman Andy Varley. We should further allow only an historical rate of return to be collected under bond, and expand the opportunity for refunds of excess profits. I am anxious to pursue these consumer-minded ideas.

Iowans from all walks of life would like to see us conserve and produce more energy inside our state borders. Iowans would also appreciate our help in holding down their monthly utility bills. They are looking to us for performance in 1981.

THIRD: CRIMINAL JUSTICE AND SAFETY

Our state has one of the lowest rates of violent crime—45th out of the 50 states. Nevertheless, like authorities elsewhere, we have to cope with crime. Criminal behavior is a part of society we cannot wish away, much as we might want to.

In the past few weeks, we have read and heard about tragic deaths in our state. We know that hard drug use is still with us and that people are more prone to commit crimes when the economy is slumping.

We have made strides in recent years with our modern Crime Lab and Law Enforcement Academy. Yet, we need to do more. We need to enlist Iowans in the "war on crime". I intend to call a special Crime Prevention Conference later this year to bring together Iowans intent upon thwarting criminal activity.

Today, I propose a Criminal Justice Improvement Fund to buttress state dollars for law enforcement and prosecution. Why not assess a small, additional fee on the fines of all persons convicted of criminal violations to start the Criminal Justice Improvement Fund? The philosophy is simple. The state spends a good deal of money to handle lawbreakers. So it makes sense that lawbreakers, not law-abiding taxpayers, offset more of the costs of law enforcement.

Today, I also submit changes in Iowa's drunk driving laws along with an equitable approach to deferred sentencing.

Further, I am sending your revisions in Iowa's Fire Safety Laws that warrant your attention. One is a priority from last year which was not approved—legislation mandating smoke detectors in apartments, rooming houses, hotels, and motels.

Iowans realize we cannot completely curtail crime nor can we guarantee their constant safety. Iowans will cooperate as we struggle to stop violence, arson, and other kinds of crime. And, again, they are looking to us for performance in 1981.

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This year the legislative agenda also includes reapportionment. Drawing up new districts for yourselves and for Iowa's Congressmen is not an easy assignment, but it is absolutely essential. If you do your duty fairly and follow the principles in last year's bill, you will not forfeit reapportionment to the courts as happened ten years ago.

Your legislative action is also needed on other important items, and you will find additional information in the written addendum to this speech, outlining some of my ideas.

My program includes hazardous waste siting and disposal and support for land use policy.

I further urge you to toughen grain elevator inspection and to provide civil penalties for violations of campaign finance laws.

I also propose a revision in charity gambling laws and regulatory reforms.

Iowa's cities, counties, and school districts are hard pressed, and in the spirit of "home rule", you can enact local option for communities where residents endorse a tax to meet a local need.

You will have your hands full this session dealing first with the current year budget, and then with my biennial budget. Clearly, your emphasis will be on allocating scarce state dollars. That is why my program today is abbreviated. I wanted to put together a succinct list of legislative objectives, and I have. To put it bluntly, 1981 is not the year for lengthy scorecards to track dozens and dozens of bills.

The goals I am presenting this month are important, not just for me, but for three million Iowans. I ask you to make them your goals, and to act on them. You can do so this year. I can and I will work with you. Together, we can make Iowa an even better state with an even better government.

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In the weeks and months ahead, those of us in the State Capitol will pay close attention to the news from our nation's Capitol.

One week from today, Ronald Reagan will be sworn in as the 40th President of the United States. The long presidential selection process which started with Iowa's caucuses one year ago will culminate with the Inauguration on Capitol Hill.

We congratulate President-Elect Reagan and we wish him well. We know that when the final proud notes of "Hail to the Chief" fade into the wind, President Reagan will have an awesome agenda awaiting him on the desk in the Oval Office.

That agenda consists of carefully monitoring a dozen global hotspots and rebuilding America's defenses. It especially consists of reigniting a stalled national economy and checking federal encroachment into the lives of people.

Most Americans believe the federal government has grown too big and has reached too far into our daily existence. So do the nation's 50 governors. We are on record requesting that the new President reestablish the concept of Federalism—that equation, that balance between the sovereign states and the national government. We trust the Reagan Administration will restore the system envisioned by our Founding Fathers.

No one can predict with total accuracy what will be forthcoming from the President and the Congress. No one knows whether or not federal programs will be returned to the states, and if so, which ones, what the cost might be, and how they would be financed. Certainly, no one can pinpoint what will happen to interest rates and with the economy.

Wholesale changes in direction from Washington could dictate new priorities in Des Moines before the end of this session. Thus we must be open-minded and flexible. These are unusual times, and we live day by day, looking for the economy to improve. But, we will make the hard decisions as they come, and we will keep a firm grip on this state's destiny.

The astronomer, Dr. Carl Sagan, creator of the television series "Cosmos", tells us, "We are at a crossroads in human history. Never before has there been a moment so simultaneously perilous and promising."

This is January, 1981. We are less than two decades away from the 21st century.

What is the real message of Dr. Sagan's observation? Isn't he saying that what you do here is more important than when you adjourn? Isn't he saying that the nature of the laws you pass and I sign this year is more important than the number of laws we act upon? Isn't he saying that we ought to look out beyond this session, beyond this fiscal year, and beyond the next biennium? I think he is saying all of that.

He is saying that, while we must make day-to-day decisions now, we must also look ahead in time to future generations of Iowans. At the same time we must look out beyond the Mississippi and the Missouri, and far past our state borders to the north and south—to our North American neighbors and even farther.

We must think about our world, about other people in this world, and about our special niche, our special role in the world.

Set politics and priorities aside for a moment and listen to what I have to say.

In the small country of Sierra Leone, one of three children dies before the age of five. In Liberia, some children are not even given a first name until after their first birthday because so many die before that day. They die because they do not have enough to eat.

Why do I tell you this? You may ask why am I discussing the condition of the Third World in my Condition of the State Message? It is because of the Condition of the State, this state, our state, affects and will continue to affect the condition of the Third World, of people everywhere around the world.

As we race toward the end of this century, Iowa must preserve its land, its economy, and its very fabric—not just for our good, but for the good of people everywhere who need our food.

This is our challenge. This is our obligation as God's children. We must continue to contribute—to feed people, to keep families together, to save life itself.

It was Socrates who said, "No man can be statesman until he knows the problems of wheat."

We can be statesmen—and stateswomen—because we respect our Iowa land. We also can be statesmen and stateswomen because we are Iowans.

We can be strong because our strength comes from the people of Iowa.

We can have courage and character because that courage and character come from the people of Iowa.

We can be resilient and determined because those traits, too, come from the people of Iowa.

We have all of this. And, we have the tolerance and hope and love I mentioned when I began my remarks.

This is our condition. It is a condition that is lasting despite temporary setbacks. It is a condition that can and will become even greater if this legislature leaves a legacy of profound and notable results. I am confident you will.

Thank you very much.

GOVERNOR'S RECOMMENDATIONS

PERSONNEL DEPARTMENT

Government is, by its nature of delivering services to the public, a labor-intensive operation. As a result, we need effective personnel policies and practices. By merging the Merit Commission and related activities into a new Personnel Department, we can provide a more cost-effective personnel management system. The Personnel Department, as recommended by the Governor's Economy Committee, will provide important continuity and general oversight to personnel policy implementation in addition to providing technical support services to all state agencies.

PROFESSIONAL LICENSING DEPARTMENT

Currently we have many separate licensing boards for professional occupations which the Governor's Economy Committee recommended should be consolidated. After careful review of the proposal, many of our licensing boards now appreciate the prospects the recommendation offers them for greater efficiencies in their

operations. We can phase in a Professional Licensing Department to centralize administrative support and streamline operations while maintaining the independence of the several licensing boards.

MENTAL HEALTH REORGANIZATION

A division of Mental Health, Mental Retardation and Developmental Disabilities should be created within the Department of Social Services. The Division would be responsible for planning, funding, setting standards and evaluation. As part of this reorganization, a new funding mechanism will be created to provide state funds, when available, to counties to aid them in providing mental health and mental retardation services. Reorganization will reduce the fragmentation of the present system and assure an increased role in decision making for county authorities.

LIFE CYCLE PURCHASING FOR ENERGY EFFICIENCY

The committee I appointed to study greater energy and financial savings in purchasing by state government has just reported a full range of recommendations. Some can be implemented through administrative order, but others need your careful analysis and deserve adoption. We can take advantage of this additional energy conservation program which local governments can also use.

SOLAR ACCESS

Sun rights legislation continues to be a high priority of the Energy Policy Council. We should take their advice to insure that solar energy investments are protected from encroachment while recognizing the legitimate interests of adjoining private and public property owners. Solution to this potential problem is overdue.

SOLAR PROPERTY TAX EXEMPTION

The progress of the Iowa Solar Office and the growing commercial acceptance of passive solar techniques should be encouraged by including passive solar energy systems in the current property tax exemption for active solar energy systems.

THERMAL AND LIGHTING EFFICIENCY STANDARDS

Since energy conservation is important, we should extend coverage of our thermal and lighting efficiency standards to all new building construction in Iowa. The current requirements apply only to construction in localities which have a building code and to construction of buildings elsewhere that exceed 100,000 cubic feet. Comprehensive coverage of thermal and lighting efficiency standards is estimated to hold the potential for \$1 million annually in energy savings for homeowners alone.

UTILITY RATE REGULATION

The burden of increased utility costs requires us to examine the current regulatory process. As part of that effort, the Commerce Commission has announced the formation of a citizen's council on utility regulation. The following specific actions should be taken to help consumers in these difficult times:

—To provide adequate staffing to the Commerce Commission to reduce the time needed to make decisions and encourage “fast tracking” of certain rate cases.

—To grant the Commerce Commission the authority to limit increases in rates collected under bond to historic policies and rates of return.

—To insist that utilities submit comprehensive information on rate hike requests at the time of filing.

—To permit the Commerce Commission to order refunds with interest on excess profits from the date of initiating proceedings rather than only from the time of final decision.

—To develop an arbitration mechanism to quickly resolve pipeline rights-of-way damage claims.

CRIMINAL JUSTICE IMPROVEMENT FUND

We can assist our law enforcement and criminal justice agencies in their efforts to protect society by creating a Criminal Justice Improvement Fund. The fund, to be financed through an assessment on persons convicted of criminal violations, will provide supplemental funds to important law enforcement programs. Those who force us to invest efforts and tax dollars to protect society should bear some additional financial responsibility for their actions.

DRUNK DRIVING

Drunk drivers continue to pose a serious threat to the lives and well being of persons using our highways. Over the past five years, more than 1,000 individuals have been killed in alcohol-related accidents, and there have been almost 50,000 OMOVUI arrests. To crack down further on this problem, we need to:

—Adopt a law which establishes that a person with a set level of blood-alcohol concentration while driving is presumed to be guilty of OMOVUI.

—Remove the use of deferred sentencing in OMOVUI convictions.

FIRE SAFETY

The Iowa Fire Laws Review Committee has completed its study and made recommendations for improvements in our fire safety laws. While some of the changes they have suggested may be prohibitively expensive if they were applied retroactively, we should seek reasonable improvements designed to protect human life. Specifically, we can:

—Require the mandatory installation of smoke detectors in all new construction of multiple-unit apartment buildings, hotels, motels and rooming houses; and phase them into already existing facilities over a period of several years.

—Review and update our current law regulating fire escapes. Of particular importance is the need to shorten the period in which violators have to comply and make certain changes.

—Increase the penalties for violations of fire safety laws. There is a belief that presently the penalties are too low leaving some to feel they can be ignored.

—Create a special fire inspection warrant which would be issued by district courts and used by fire marshals and arson investigators to inspect property destroyed by fire or to inspect buildings for fire hazards.

CHARITY GAMBLING

To keep the original legislative intent and eliminate abuse, revisions are necessary in our state charitable gambling laws for bingo and other games. Along with closer regulatory scrutiny from the Department of Revenue, our statutes should be strengthened to require that a proportion of gross receipts be in fact donated to a qualifying charity and to authorize the Revenue Department to grant or deny bingo licenses to qualified organizations.

CAMPAIGN DISCLOSURE PENALTIES

Violations of our campaign finance disclosure laws, such as habitual late filing, are difficult to remedy because today only tough criminal penalties can be applied. By making the candidate responsible for the proper and timely filing of disclosure reports and providing for civil penalties, we can encourage compliance with the law.

DEPARTMENT OF SUBSTANCE ABUSE

Unless action is taken this year, the Iowa Department of Substance Abuse will expire next fiscal year. While some might argue that it would be beneficial to place the Department of Substance Abuse within a reorganized mental health operation, it would not now be timely to disturb this well-functioning system. We favor the continuation of the Iowa Department of Substance Abuse.

GRAIN ELEVATORS INSPECTIONS

The growing complexity of grain marketing and the economic distress of Stockport have highlighted the importance of strengthened grain warehousing supervision. By conducting annual inspections and requiring certified accountant audits of the books, we can provide greater financial security to farmers and the others who depend upon the fiscal soundness of this industry.

HAZARDOUS WASTE

The disposal of hazardous wastes is essential to the economic well-being of Iowa's industry. To be able to meet this need, Iowa should develop an effective procedure to approve disposal sites. Sufficient state safeguards to regulate the private operations of hazardous waste disposal sites can protect the environment while meeting the legitimate needs of business and society. Furthermore, existing state law on hazardous waste regulation needs to be updated to reflect the most recent changes in federal law.

LAND USE

I have previously expressed my concerns to you about the problems of land preservation, land misuse and damage to our land resource. Appropriate actions preserving our agricultural lands, forests and wetlands need to be taken. We can and should address comprehensive land use legislation.

LOCAL OPTION TAXES

Cities, counties and schools face difficult financial prospects as do we in state government. With strict limits on the growth in property valuations, many local governments are at or close to their tax levy limits. Despite limits in income, city councils, boards of supervisors and school boards continue to be asked to meet increased or new responsibilities.

The state can help by adhering to the fair play principle and not imposing new mandates on local governments. In addition, we should expand the use of local option taxes. The hotel/motel local option tax has given some much needed flexibility to local governments. That experience gives us reason to authorize additional local option taxing authority.

As recommended by the Property Tax Study Committee, cities, counties, and school districts should be authorized to impose local option taxes, provided such taxes are approved in a referendum of the residents involved. Today 26 states permit local option sales taxes and 11 states permit local option income taxes. This would allow citizens on the local level to determine if they wish to raise additional revenue.

MECHANICS LIENS

Previously the legislature has considered revising the mechanics lien law to better protect consumers. Some property owners who misunderstand the current law have become unwittingly liable through a mechanics lien for improvements to their property despite the fact that they had already paid for these. By providing more complete notice to property owners, those misunderstandings can be in great part avoided. Hopefully the legislature will take action on a bill similar to the one that passed the House last year.

REAPPORTIONMENT

With legislation in place outlining the procedures to be used for redistricting and spelling out the criteria to meet a court test, reapportionment ought to be successfully passed in 1981. While the assistance of the Legislative Service Bureau will prove to be valuable, the main responsibility rests with the Iowa General Assembly for equitable redistricting.

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

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

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

APPENDIX

INTRODUCTION OF BILLS

Senate File 36, by Priebe, a bill for an act exempting the sales of fuels used for residential purposes from the sales, services and use tax.

Read first time under **Rule 28 and passed on file.**

Senate File 37, by Schwengels, a bill for an act to authorize the expenditure of railroad assistance funds to contract for access to railroad facilities owned by a railroad corporation which has filed a petition in bankruptcy for the purpose of obtaining access to the railroad facilities of another railroad corporation.

Read first time under **Rule 28 and passed on file.**

Senate File 38, by Taylor, a bill for an act relating to the requirements for certification by the board of educational examiners.

Read first time under **Rule 28 and passed on file.**

Senate File 39, by Hultman, a bill for an act to eliminate continuing education requirements for barbers.

Read first time under **Rule 28 and passed on file.**

Senate File 40, by Waldstein and Craft, a bill for an act relating to the imposition of a tax on the ownership of agricultural land, appropriating the revenues from the tax to pay the cost of administration and enforcement and to provide funds for state cost-sharing conservation projects, and imposing penalties.

Read first time under **Rule 28 and passed on file.**

Senate File 41, by Holden, a bill for an act to repeal the requirement that the board of accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them.

Read first time under **Rule 28 and passed on file.**

Senate File 42, by Holden, a bill for an act relating to the definition of good moral character as required for the issuance of a beer permit or liquor control license.

Read first time under **Rule 28 and passed on file.**

Senate File 43, by Comito, a bill for an act relating to installation of smoke detectors in apartment buildings with more than two units, hotels, motels, and rooming houses and to inspection by fire insurance companies and insureds.

Read first time under **Rule 28 and passed on file.**

Senate File 44, by Coleman, a bill for an act requiring the manufacturer of a household appliance, motor vehicle or implement of husbandry to maintain a supply of repair parts for a period of ten years from the date of retail sale of the product, and providing for the recovery by a purchaser of the purchase price if the manufacturer breaches this duty to the detriment of the purchaser, and providing a January 1 effective date.

Read first time under **Rule 28 and passed on file.**

Senate File 45, by Murray, a bill for an act relating to the definition of terrorism and providing a penalty.

Read first time under **Rule 28 and passed on file.**

Senate File 46, by Hulse, a bill for an act to resolve a statutory conflict in the qualifications of a township trustee.

Read first time under **Rule 28 and passed on file.**

Senate File 47, by Carr, a bill for an act to shorten the probationary period for teachers.

Read first time under **Rule 28 and passed on file.**

Senate File 48, by DeKoster, a bill for an act providing for the joint financing by public agencies of electric power facilities and other facilities.

Read first time under **Rule 28 and passed on file.**

Senate File 49, by Holden, a bill for an act to provide that a mechanic's lien is not enforceable unless prior to the furnishing of

labor or materials the owner is given written notice of the lien law.

Read first time under **Rule 28** and passed on file.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	1	Commerce
S. F.	2	Judiciary
S. F.	3	State Government
S. F.	4	State Government
S. F.	5	Human Resources
S. F.	6	State Government
S. F.	7	State Government
S. F.	8	Human Resources
S. F.	9	Judiciary
S. F.	10	Commerce
S. F.	11	Judiciary
S. F.	12	Judiciary
S. F.	13	Commerce
S. F.	14	Natural Resources
S. F.	15	Labor and Industrial Relations
S. F.	16	Transportation
S. F.	17	Transportation
S. F.	18	Ways and Means
S. F.	19	Ways and Means
S. F.	20	State Government
S. F.	21	Ways and Means
S. F.	22	County Government
S. F.	23	Ways and Means
S. F.	24	Human Resources
S. F.	25	Transportation

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 10:55 a.m., until 9:00 a.m., Wednesday, January 14, 1981.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 14, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend James Fyfe, pastor of the United Presbyterian Churches, Montrose and Argyle, Iowa.

The Journal of Tuesday, January 13, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Dolan, West Des Moines, Iowa.

INTRODUCTION OF BILLS

Senate File 50, by Hulse, a bill for an act to advance the date required for the filing of nomination papers for a special election to fill a vacancy on a school board.

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

Senate File 51, by Craft, a bill for an act relating to the agricultural land credit by requiring, beginning January 1, 1986, the filing of a claim for the credit with certification that a conservation plan has been approved or implemented.

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

Senate File 52, by Craft, a bill for an act to impose an additional tax on certain gains from the sale or exchange of real property, and imposing penalties for violations.

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

Senate File 53, by Doyle, a bill for an act relating to the general assembly and its organization, procedures, compensation and authority to impose penalties.

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

Senate File 54, by Doyle, a bill for an act providing that the supreme court shall establish by rule the jurisdiction of the district court sitting in small claims.

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

Senate File 55, by Rodgers, a bill for an act to establish legislative procedures for the adjournment and financing of regular sessions of the general assembly.

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

Senate File 56, by Rodgers, a bill for an act to encourage the construction of earth sheltered dwellings by prohibiting zoning regulations that specifically exclude earth sheltered construction, effective January 1, 1982, and by providing an individual income tax credit for earth sheltered dwellings and making the tax provisions retroactive to January 1, 1981.

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

Senate File 57, by Rodgers, a bill for an act relating to the regulation by the commissioner of insurance of self-insured accident or health insurance policies or programs offered to employees and providing a penalty.

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

Senate File 58, by Priebe, a bill for an act amending a provision of the Iowa consumer credit code to allow short-term loans to be repayable in full at the end of the loan term.

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

Senate File 59, by Priebe, a bill for an act requiring storm shelters in certain mobile home parks and providing a penalty.

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

Senate File 60, by Priebe, a bill for an act relating to the supervision of construction and maintenance work on secondary roads.

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

Senate File 61, by Rodgers, a bill for an act relating to the licensing fees of food establishments.

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

Senate File 62, by Rodgers, a bill for an act to require the filing of a claim to receive the agricultural land tax credit and limiting the amount of land on which the credit may be claimed.

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

Senate File 63, by Rodgers, a bill for an act providing an individual income tax credit for the ownership of chisel type plows, till planters and no-till planters and providing a retroactive effective date upon publication.

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

Senate File 64, by Taylor, a bill for an act excluding fuel consumed for the raising of livestock or poultry from sales tax.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications were received from the Governor:

April 28, 1980

The Honorable Terry E. Branstad
Lieutenant Governor of Iowa
State Capitol Building
LOCAL

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Herbert W. Randels, Des Moines, Polk County, Iowa, for reappointment as a member of the Occupational Safety and Health Review Commission pursuant to Section 88.10, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

May 16, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Michael J. Jackson, Waterloo, Black Hawk County, Iowa, for appointment to the

Credit Union Review Board pursuant to Section 533.53, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Richard J. Davison, Dubuque, Dubuque County, Iowa, for consideration as a member of the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.12, 1979 Code of Iowa, as amended by Chapter 1045, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

June 5, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Richard J. Bealka, M.D., Independence, Buchanan County, Iowa, for reappointment as a member of the State Advisory Council on Mental Health pursuant to Section 225B.3, 1979 Code of Iowa, for a regular term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Elwin Farwell, Ph.D., Decorah, Winneshiek County, Iowa, for reappointment as a member of the State Advisory Council on Mental Health pursuant to Section 225B.3, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Vera V. French, M.D., Bettendorf, Scott County, Iowa, for reappointment as a member of the State Advisory Council on Mental Health pursuant to Section 225B.3, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Farrell Reed, Clarinda, Page County, Iowa, for appointment as a member of the State Advisory Council on Mental Health pursuant to Section 225B.3, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

June 18, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Earl M. Yoder, Iowa City, Johnson County, Iowa, for appointment as a member of the Iowa Housing Finance Authority pursuant to Section 220.2, 1979 Code of Iowa, for an unexpired term ending April 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

June 24, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Richard P. Crawford, Jr., Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa Commission for the Blind pursuant to Section 601B.1, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

July 1, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Charles Crawford, Adair, Adair County, Iowa, for appointment as a member of the Iowa Railway Finance Authority pursuant to Chapter 1095, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing immediately and ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of William McGrath, Melrose, Monroe County, Iowa, for appointment as a member of the Iowa Railway Finance Authority pursuant to Chapter 1095, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing immediately and ending April 30, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Fred E. McKim, West Bend, Palo Alto County, Iowa, for appointment as a member of the Iowa Railway Finance Authority pursuant to Chapter 1095, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing immediately and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Mark A. Wampler, Allerton, Wayne County, Iowa, for appointment as a member of the Iowa Railway Finance Authority pursuant to Chapter 1095, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing immediately and ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of O. R. Woods, Palo, Linn County, Iowa, for appointment as a member of the Iowa Railway Finance Authority pursuant to Chapter 1095, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing immediately and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Barbara J. Dunn, Des Moines, Polk County, Iowa, for reappointment as a member of the State Transportation Commission pursuant to Section 307.3, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Delmar Van Horn, Jefferson, Greene County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Section 307.3, 1979 Code of Iowa, for a regular term commencing July 1, 1980, and ending June 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

July 3, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Steven A. Basler, Sharpsburg, Taylor County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Edward Engstrom, Kanawha, Hancock County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Gene E. Geissinger, West Des Moines, Polk County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of George Schneiderman, Rock Rapids, Lyon County, Iowa, for appointment as a member of

the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Lois Schnoor, Maquoketa, Jackson County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Dwight O. Seegmiller, Iowa City, Johnson County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of John Soorholtz, Melbourne, Marshall County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of A.J. Walters, Guttenberg, Clayton County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Jack L. Dodd, M.D., Ames, Story County, Iowa, for appointment as a member of the State Board of Medical Examiners pursuant to Section 147.12, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Alexander Ervanian, M.D., Des Moines, Polk County, Iowa, for reappointment as a member of the State Board of Medical Examiners pursuant to Section 147.12, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

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 reappointment as a member of the State Board of Medical Examiners pursuant to Section 147.12, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending June 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

July 10, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Peter L.J. Pashler, Des Moines, Polk County, Iowa, for appointment as a member of the Public Employment Relations Board pursuant to Section 20.5, 1979 Code of Iowa, for a term commencing July 1, 1980, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

July 22, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of E.J. (Gene) Paul, Ph. D., Des Moines, Polk County, Iowa, for appointment as a member of the Professional and Occupational Regulation Commission pursuant to Chapter 41, Acts of the Sixty-eighth General Assembly, 1979 Regular Session, for an unexpired term ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

July 23, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of M. Linda Nichols, Onawa, Monona County, Iowa, for appointment as a member of the Iowa Family Farm Development Authority pursuant to Chapter 1050, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

August 13, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Jon H. Kneen, Ottumwa, Wapello County, Iowa, for appointment as a member of the State

Board of Public Instruction pursuant to Section 257.1, 1979 Code of Iowa, for an unexpired term ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Dianne L.D. Paca, Garner, Hancock County, Iowa, for appointment as a member of the State Board of Public Instruction pursuant to Section 257.1, 1979 Code of Iowa, for a term commencing January 2, 1980, and ending January 1, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

August 28, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Ann Frenzen, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of John R. Hagie, Clarion, Wright County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Mary McNutt, Iowa City, Johnson County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of The Honorable James I. Middleswart, Indianola, Warren County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Robert W. Schlutz, Columbus Junction, Louisa County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Allan T. Thoms, Dubuque, Dubuque County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Richard L. Timmerman, Jefferson, Greene County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Barbara Tollefson, Storm Lake, Buena Vista County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Clark A. Yeager, Ottumwa, Wapello County, Iowa, for appointment as a member of the Environmental Quality Commission pursuant to Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

October 2, 1980

It is my pleasure to submit to the Senate for their consideration the name of Jean J. Linder, Des Moines, Polk County, Iowa, for appointment as a member of the State

Board of Physical and Occupational Therapy Examiners pursuant to Section 147.12, 1979 Code of Iowa, as amended by Chapter 1045, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Ferol S. Menzel, Ph.D., Ames, Story County, Iowa, for appointment as a member of the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.12, 1979 Code of Iowa, as amended by Chapter 1045, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Sharon A. Simmons, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.12, 1979 Code of Iowa, as amended by Chapter 1045, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for an unexpired term ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

October 6, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Joseph B. Baker, D.O., Greenfield, Adair County, Iowa, for appointment as a member of the State Board of Medical Examiners pursuant to Section 147.12, 1979 Code of Iowa, for an unexpired term ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

October 10, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Kathy S. Elliston, Des Moines, Polk County, Iowa, for appointment as a member of the Board of Engineering Examiners pursuant to Section 114.3, 1979 Code of Iowa, for an unexpired term ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

October 22, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Kathryn E. Gammack, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Medical Examiners pursuant to Section 147.14, 1979 Code of Iowa, for an unexpired term ending April 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

November 3, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Robert W. Tonn, Clinton, Clinton County, Iowa, for reappointment as a member of the Board of Certification of Waterworks and Waste Waterworks Operators pursuant to Section 455B.53, 1979 Code of Iowa, as amended by Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing July 1, 1980, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

November 4, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Dick G. Cook, Corning, Adams County, Iowa, for appointment as a member of the Board of Certification of Waterworks and Waste Waterworks Operators pursuant to Section

455B.54, 1979 Code of Iowa, as amended by Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of William G. Dirks, Belmond, Wright County, Iowa, for appointment as a member of the Board of Certification of Waterworks and Waste Waterworks Operators pursuant to Section 455B.53, 1979 Code of Iowa, as amended by Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term commencing January 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

November 6, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Margaret E. McDonald, Cherokee, Cherokee County, Iowa, for appointment as a member of the State Advisory Council on Mental Health pursuant to Section 225B.3, 1979 Code of Iowa, for an unexpired term ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

November 10, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of James E. Huyser, Pella, Marion County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Section 93.2, 1979 Code of Iowa, for an unexpired term ending April 30, 1981, and a regular term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Suzan M. Stewart, Sioux City, Woodbury County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Section 93.2, 1979 Code of Iowa, for an unexpired term ending April 30, 1981, and a regular term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

December 19, 1980

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Ellen E. Steele, Dubuque, Dubuque County, Iowa, for appointment as a member of the State Board of Psychology Examiners pursuant to Section 147.12, 1979 Code of Iowa, for an unexpired term ending April 30, 1981, and a regular term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration.**

RECESS

On motion of Senator Hultman, the Senate recessed at 9:20 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 2

By: Committee on Rules and Administration

- 1 *Be It Resolved by the Senate, the House of Representatives,*
- 2 *Concurring, That the joint rules of the senate and house in*

3 the sixty-ninth general assembly shall be:

4 JOINT RULES OF THE SENATE AND HOUSE

5 Rule 1

6 Suspension of Joint Rules

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

10 Rule 2

11 Designation of Sessions

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

14 Rule 3

15 Sessions of a General Assembly

16 The election of officers, organization, hiring and
17 compensation of employees, and standing committees in each
18 house of the general assembly and action taken by each house
19 shall carry over from the first to the second regular session
20 and to any extraordinary session of the same general assembly.
21 The status of each bill and resolution shall be the same at
22 the beginning of each session as it was immediately before
23 adjournment of the previous regular or extraordinary session;
24 however the rules of either house may provide for re-referral
25 of some or all bills and resolutions to standing committees
26 upon adjournment of each session or at the beginning of a
27 subsequent regular or extraordinary session, except those
28 which have been adopted by both houses in different forms.

29 Upon final adoption of a concurrent resolution at any
30 extraordinary session affecting that session, or at a regular
31 session affecting any extraordinary session which may be held
32 before the next regular session, the creation of any calendar
33 by either house shall be suspended and the business of the
34 session shall consist solely of those bills or subject matters
35 stated in the resolution adopted. Bills named in the

Page 2

1 resolution, or bills containing the subject matter provided
2 for in the resolution, may, at any time, be called up for
3 debate in either house by the majority leader of that house.

4 Rule 4

5 Presentation of Messages

6 All messages between the two houses shall be sent by the
7 secretary of the senate or the chief clerk of the house of
8 representatives, shall be announced and communicated to the
9 chair.

10 Rule 5

11 Printing and Form of Bills
12 and Other Documents

13 Bills and joint resolutions shall be introduced, numbered,
14 prepared, and printed as provided by law, or in the absence
15 of such law, in a manner determined by the secretary of the

16 senate and the chief clerk of the house of representatives.

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

20 The legal counsel of each house shall read and approve
21 all bills before introduction.

22 Rule 6

23 Companion Bills

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

33 Rule 7

34 Reprinting of Bills

35 Whenever any bill has been substantially amended by either

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1 house, the secretary of the senate or the chief clerk shall
2 order the bill reprinted on paper of a different color. All
3 adopted amendments shall be distinguishable.

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

7 Rule 8

8 Daily Clip Sheet

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

11 Rule 9

12 Reintroduction of Bills and Other Measures

13 When a bill or resolution which has passed one house is
14 rejected in the other, it shall not be again introduced during
15 that general assembly.

16 Rule 10

17 Certification of Bills and Other Enrollments

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

22 Rule 11

23 Amendments by Other House

24 I. When a bill which originated in one house is amended
25 in the other house, the house originating the bill may amend
26 the amendment, concur in full in the amendment, or refuse

27 to concur in full in the amendment. Precedence of motions
28 shall be in that order.

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

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

35 1. Recede, after which the bill shall be read for the

Page 4

1 last time and placed upon its final passage; or

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

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

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

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

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

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

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

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

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

Rule 12

Conference Committee

32 1. Within one legislative day after either house insists
33 upon an amendment to a bill, the presiding officer of the
34 house, after consultation with the majority leader, shall
35 appoint three majority party members and, after consultation

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1 with the minority leader, shall appoint two minority party
2 members to a conference committee. The presiding officer
3 of the senate, after consultation with the majority leader,
4 shall appoint three majority party members and, after
5 consultation with the minority leader, shall appoint two
6 minority party members to a conference committee. The papers
7 shall remain with the house that originated the bill.

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

11 3. The authority of the committee shall cover free
12 conference during which the committee has authority to propose
13 amendments to any portion of a bill provided the amendment
14 is within the scope of the title of the bill.

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

24 5. The report of agreement is debatable, but cannot be
25 amended. If the report contains recommended amendments to
26 the bill, adoption of the report shall automatically adopt
27 all amendments contained therein. After the report is adopted,
28 there shall be no more debate, and the bill shall immediately
29 be placed upon its final passage.

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

33 7. If the conference committee fails to reach agreement,
34 a report of such failure signed by at least three members
35 of each house shall be given promptly to each house. The

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1 bill shall be returned to the house that originated the bill
2 and the members of the committee shall be immediately
3 discharged and a new conference committee appointed by the
4 presiding officer of each house. The presiding officer of
5 the house, after consultation with the majority leader, shall
6 appoint three majority party members and, after consultation
7 with the minority leader, shall appoint two minority party
8 members all of whom shall not have previously served on a
9 conference committee on the bill under consideration. The
10 presiding officer of the senate, after consultation with the

11 majority leader, shall appoint three majority party members
 12 and, after consultation with the minority leader, shall appoint
 13 two minority party members all of whom shall not have
 14 previously served on a conference committee on the bill under
 15 consideration.

16 Rule 13

17 Enrollment and Authentication of Bills

18 When a bill or resolution has passed both houses, it shall
 19 be enrolled in the house of origin under the direction of
 20 either the secretary or the chief clerk and its house of
 21 origin shall be certified by the endorsement of the secretary
 22 or the chief clerk.

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

25 Rule 14

26 Concerning other Enrollments

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

30 All resolutions and other matters which are not to be
 31 presented to the governor or the secretary of state shall
 32 be enrolled, signed and retained permanently by the secretary
 33 of the senate or chief clerk of the house.

34 Rule 15

35 Transmission of Bills to the Governor

Page 7

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

6 Rule 16

7 Fiscal Notes

8 A fiscal note shall be attached to any bill or joint
 9 resolution which reasonably could have an annual effect of
 10 at least one hundred thousand dollars or a combined total
 11 effect within five years after enactment of five hundred
 12 thousand dollars or more on the aggregate revenues,
 13 expenditures or fiscal liability of the state or its
 14 subdivisions. This rule does not apply to appropriation
 15 measures where the total effect is stated in dollar amounts.

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

23 When a committee reports a bill to the floor, the committee
24 shall state in the report whether a fiscal note is or is not
25 required.

26 The fiscal note shall be printed on the bill before
27 introduction if practicable; and in any event the secretary
28 of the senate or chief clerk of the house shall attach the
29 fiscal note to the bill when the bill is reported out by a
30 committee.

31 The legislative fiscal director shall prepare the fiscal
32 note within a reasonable time after receiving the request.
33 A copy of the fiscal note shall be filed by the legislative
34 fiscal director, for distribution, with the secretary of the
35 senate or the chief clerk of the house unless within one

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1 legislative day a request for a revised fiscal note is filed
2 with the legislative fiscal director. The legislative fiscal
3 director may request the cooperation of the state comptroller
4 or any state department or agency. If a fiscal note is
5 prepared by the comptroller or any state department or agency
6 at the request of the fiscal director, that fact shall be
7 stated in the note.

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

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

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

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

Rule 17

Joint Legislative Intern Committee

32 There shall be a joint legislative intern committee to
33 organize and supervise a legislative intern program for Iowa

34 college and university students. The committee shall consist
 35 of fourteen members: two members of the senate, one appointed

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1 by the majority leader and one appointed by the minority
 2 leader; two members of the house, one appointed by the majority
 3 leader and one appointed by the minority leader; the secretary
 4 of the senate or his *or her* designee; the chief clerk of the
 5 house or his *or her* designee; the director of the legislative
 6 service bureau or his *or her* designee; a person from each
 7 of the three state universities selected by each of the
 8 universities; a person representing the Drake University
 9 College of Law selected by Drake University; a person
 10 representing the University of Iowa College of Law selected
 11 by the college of law; and two persons from Iowa private
 12 colleges selected by the other members of the committee.

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

24 The purpose of the legislative intern program shall be:

25 1) to provide useful staff services to legislators not
 26 otherwise provided by the general assembly; 2) to give
 27 interested college, graduate, and law school students practical
 28 experience in the legislative process as well as providing
 29 a meaningful educational experience; and 3) to enrich the
 30 curriculum of participating colleges and universities.

31 The joint legislative intern committee shall have the
 32 following duties and responsibilities:

33 1. Provide procedures for the recruitment, selection,
 34 assignment, and supervision of all interns in each house.
 35 2. Establish the duties of interns.

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1 3. Provide orientation and seminar programs for interns.
 2 4. Consult and work with faculty and staff at Iowa colleges
 3 and universities to encourage participation in the legislative
 4 intern program.
 5 5. Prepare and distribute materials designed to explain
 6 the legislative intern program.

- 7 6. Prescribe all necessary forms.
8 7. Make recommendations to the general assembly regarding
9 the legislative intern program.
10 8. Such other duties and responsibilities as are necessary
11 to effectively organize and supervise the legislative intern
12 program.

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

19 Rule 18

20 Time of Committee Passage and Consideration of Bills

21 1. To be placed on the house calendar, all bills except
22 appropriations bills, ways and means bills, bills or joint
23 resolutions co-sponsored by the majority and minority floor
24 leaders, companion bills sponsored and introduced by the
25 senate majority leader, after consultation with the senate
26 minority leader, and the house majority leader, after
27 consultation with the house minority leader, beginning with the
28 the 16th week of the first session and beginning with the
29 14th week of the second session, the claims committee report,
30 and conference committee reports must be reported out of
31 committee no later than the following deadlines:

32 House bills under individual sponsorship must be reported
33 out of a standing committee no later than Friday of the
34 10th week of the first session and the 8th week of the second session.

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1 House bills sponsored by a committee must be reported out
2 of a standing committee no later than the Friday of the 11th
3 week of the first session and the 9th week of the second
4 session.

5 Senate bills under individual sponsorship must be reported
6 out of a standing committee no later than the Friday of the
7 13th week of the first session and the 11th week of the second
8 session.

9 Senate bills sponsored by a committee must be reported
10 out of a standing committee no later than the Friday of the
11 14th week of the first session and the 12th week of the second
12 session.

13 2. To be placed on the senate calendar, all bills except
14 appropriations bills, ways and means bills, bills or joint
15 resolutions co-sponsored by the majority and minority floor
16 leaders, companion bills sponsored and introduced by the
17 senate majority leader, after consultation with the senate
18 minority leader, and the house majority leader, after

19 consultation with the house minority leader, beginning with
20 the 16th week of the first session and beginning with the
21 14th week of the second session, the claims committee report,
22 and conference committee reports must be reported out of
23 committee no later than the following deadlines:

24 Senate bills under individual sponsorship must be reported
25 out of a standing committee no later than the Friday of the
26 10th week of the first session and the 8th week of the second
27 session. Senate bills sponsored by a committee must be
28 reported out of a standing committee no later than the Friday
29 of the 11th week of the first session and the 9th week of
30 the second session.

31 House bills under individual sponsorship must be reported
32 out of a standing committee no later than the Friday of the
33 13th week of the first session and the 11th week of the second
34 session.

35 House bills sponsored by a committee must be reported out

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1 of a standing committee no later than the Friday of the 14th
2 week of the first session and the 12th week of the second
3 session.

4 3. During the 12th week of the first session and the 10th
5 week of the second session each house will consider only bills
6 originating in that house and unfinished business. During
7 the 15th week of the first session and the 13th week of the
8 second session each house will consider only bills originating
9 in and passed by the other house and unfinished business.
10 Beginning with the 16th week of the first session and beginning
11 with the 14th week of the second session, each house will
12 consider only appropriations bills, ways and means bills,
13 bills or joint resolutions co-sponsored by the majority and
14 minority floor leaders, companion bills sponsored and
15 introduced by the senate majority leader, after consultation
16 with the senate minority leader, and the house majority leader,
17 after consultation with the house minority leader, claims
18 report, bills coming from conference committee, and unfinished
19 business.

20 4. Rule 18 shall not apply to concurrent or simple
21 resolutions, senate confirmations, *reapportionment bills*,
22 or bills passed by both houses in different form prior to
23 being sent to a conference committee, or claims report.

24 5. A bill reported out of any committee within the
25 deadlines established by this rule and then referred to another
26 committee may be reported out by that committee.

27 6. A motion to reconsider filed and not disposed of on
28 action taken on a bill or resolution which is subject to a
29 deadline under this rule may be called up at any time on the
30 day of the deadline or at any time after the deadline by the
31 person filing the motion or by the majority leader, any other
32 rule to the contrary notwithstanding.

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

INTRODUCTION OF BILLS

Senate File 78, by Rush, a bill for an act relating to the rights of defendants in criminal proceedings.

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

Senate File 79, by Rush, a bill for an act relating to the use of standard broadcast radio by school bus drivers.

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

Senate File 80, by Rush and Murray, a bill for an act relating to the administration of judicial district departments of correctional services.

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

Senate File 81, by Taylor, a bill for an act relating to the penalty provided for refusal to employ on the basis of union membership.

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

Senate File 82, by Holden, a bill for an act repealing the requirement for olympic leave for public employees.

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

Senate File 83, by Holden, a bill for an act repealing the Iowa Unfair Cigarette Sales Act.

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

Senate File 84, by Bisenius, a bill for an act limiting the amount of special assessment that can be levied on a parcel of property to one percent of the actual value of the parcel.

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

Senate File 85, by Gratias, a bill for an act requiring the number of seats in the two houses of the general assembly to be evenly divisible by the number of congressional districts in the state, effective upon publication.

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

Senate File 86, by Gratias, a bill for an act relating to the uses of unencumbered funds in the schoolhouse fund collected under the levy provided in section 297.5 prior to July 1, 1981.

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

Senate File 87, by Committee on Transportation, a bill for an act providing for the designation of handicapped parking spaces and providing a penalty.

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

Senate File 88, by Murray, Jensen, Tieden and Wells, a bill for an act relating to the deferred compensation program for governmental employees.

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

Senate File 93, by Committee on Education, a bill for an act relating to the definition of the Higher Education Act of 1965 and providing that the Act will take effect upon its publication.

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

APPENDIX

COMMUNICATIONS

The following communications were filed with the Secretary of the Senate on December 22, 1980:

December 22, 1980

Ms. Linda Howarth Mackay
Secretary of the Senate
Statehouse
LOCAL

Dear Ms. Mackay:

In accordance with Section 25A.12, Code of Iowa 1979, we are hereby submitting to the General Assembly all General Tort claims, Highway Tort claims, settlements and judgments paid during 1980 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,
RONALD F. MOSHER
State Comptroller

Receipt of the above is hereby acknowledged.

LINDA HOWARTH MACKAY
Secretary of the Senate

CHAPTER 25A GENERAL TORT CLAIMS APPROVED BY STATE APPEAL BOARD, 1980

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-3956-67	Mildred & Keith Phillips Injury received in fall from unguarded ramp at Lath Rathbun	\$ 50,000.00	\$ 12,000.00
T-4491-68	Robert Emmanuel Jewell Loss of personal property at Men's Reformatory	36.50	36.50

T-5163-68	Estate of Laverne Bell Carruthers Death due to a faulty respirator at the University Hospitals	2,000,000.00	5,000.00
T-5241-68	Sheryl Boates Claimant developed a severe infection resulting from alleged negligence of an employee of the University of Iowa Hospital	17,500.00	
TE-5242-68	Sheryl Boates (See T-5241-68)	17,500.00	
T-5243-68	Dwight Boates (See T-5241-68)	2,500.00	
TE-5244-68	Dwight Boates (See T-5241-68)	2,500.00	500.00
T-5257-68	Bobbie J. Beeler Alleged negligence by a doctor at the University Hospitals & Clinics	300,000.00	
T-5258-68	Millard A. Beeler (See T-5257-68)	50,000.00	20,000.00
T-5427-68	Karin L. Carruthers Settled with T-5163-68	1,000,000.00	
T-5428-68	Kathy A. Carruthers Settled with T-5163-68	1,000,000.00	
T-5429-68	Laverne Marie Bell Estate Settled with T-5163-68	3,000,000.00	
T-5479-68	Alice Mallory Injuries received when struck by auto driven by committed patient of the Cherokee Mental Health Institute	95,000.00	90,000.00
T-5725-68	Keith Roy Breese Damage to auto when struck by gate at University of Iowa parking ramp	166.29	166.29
T-5742-68	Richard Allen McPherson Damage to auto at the University of Iowa parking ramp	111.86	111.86
T-5773-68	Margaret M. Klocker Medical costs associated with a fall at U of I	274.00	274.00
T-5791-68	Kenneth Fabian Hospital emergency room charge for accident at a state park	26.94	26.94

3rd Day

WEDNESDAY, JANUARY 14, 1981

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T-5974-68	Janice L. Daly For clothing damaged at the Iowa State Fair (wet paint)	157.00	157.00
T-5800-68	Melodee J. White Injuries received from fall on an icy parking lot	15,000.00	5,000.00
T-5810-68	Cecile M. Hare Damage to auto paint from soot deposits from the U.N.I. power plant	231.75	231.75
T-5821-68	Grinnell Mutual Reinsurance Co. Damages to insured's auto in a collision with a motorized food cart at Iowa Juvenile Home	318.53	318.53
T-5827-68	Kenneth Timothy McGuire Auto paint damage from soot from U.N.I. power plant	350.00	300.00
T-5838-68	Harold Raymond Wilson For personal items lost at Medium Security Unit at Mt. Pleasant	50.00	50.00
T-5841-68	Doyle Churchill Damage to pickup by escapees from Riverview Release Center	75.53	75.53
T-5846-68	Lillian Jensen Auto paint damage from soot from U.N.I. power plant	210.12	210.12
T-5851-68	Margaret A. Brennan Auto paint damage from soot from U.N.I. power plant	311.06	300.00
T-5855-68	Allen Lee Keller Auto paint damage from soot from U.N.I. power plant	426.42	300.00
T-5856-68	Berwyn Barrett Johnson Auto paint damage from soot from U.N.I. power plant	267.80	267.80
T-5862-68	Dorothy Hess Auto paint damage from soot from U.N.I. power plant	529.42	300.00
T-5872-68	Lorraine Crotty Auto paint damage from soot from U.N.I. power plant	519.12	300.00
T-5878-68	Joel F. Pattee Damages to vehicle in collision with a Guard vehicle	357.04	357.04

T-5881-68	Reginald B. Koop Auto paint damage from soot from U.N.I. power plant	412.00	300.00
T-5885-68	Big Bear Turf Equipment Co. Damages to pickup truck in an accident with a Conservation Commission truck	524.58	262.29
T-5888-68	Joel Otto Livens Auto paint damage from soot from U.N.I. power plant	530.45	300.00
T-5892-68	Randall Simon Hanson Auto paint damage from soot from U.N.I. power plant	434.66	300.00
T-5896-68	Arlene Ellis Auto paint damage from soot from U.N.I. power plant	438.25	300.00
T-5898-68	Gary Wayne Werle Auto paint damage from soot from U.N.I. power plant	569.59	300.00
T-5900-68	Charlotte Anne Rittgers Auto paint damage from soot from U.N.I. power plant	473.80	300.00
T-5910-68	Harriet V. Schatzberg Auto paint damage from soot from U.N.I. power plant	219.39	219.39
T-5915-68	Brent Richmond Auto paint damage from soot from U.N.I. power plant	695.25	118.45
T-5918-68	Larry Gene Brewster Property lost while in the possession of the State Penitentiary	157.73	157.73
T-5919-68	June C. Wagoner Auto paint damage from soot deposits from U.N.I. power plant	193.67	193.67
T-5925-68	John Duane Stalberger Auto paint damage from soot deposits from U.N.I. power plant	199.82	199.82
T-5929-68	Allan William Mohling Auto paint damage from soot deposits from U.N.I. power plant	274.67	274.67
T-5936-68	John F. Donnelly Hospital and doctor bill for costs resulting from an injury sustained at a State Park	48.10	48.10

T-5946-68	Elizabeth Allene Rittgers Auto paint damage from soot deposits from U.N.I. power plant	473.80	300.00
T-5947-68	Teri Scott Formanek Auto paint damage from soot deposits from U.N.I. power plant	412.00	300.00
T-5957-68	Frances A. Wahl Seeks payment for property allegedly lost at Iowa Veterans Home	302.00	150.00
T-5969-68	Gary Lee Davis Seeks payment for property lost while transferring among several state penal institutions	295.00	115.50
T-5972-68	Gary Gene Carroll Auto paint damage from soot deposits from U.N.I. power plant	528.09	300.00
T-5973-68	James Orval Downing Damage to pickup rear window by rock thrown from mower	75.00	75.00
T-5974-68	Paul James Frazier, Jr. Personal property lost at the State Penitentiary	104.36	104.36
T-5976-68	Darrell Lee Hoxworth Seeks \$13.44 for phone calls and \$100.00 in lost wages	113.44	13.44
T-5983-68	Christopher Ferguson Seeks reimbursement for jacket lost by staff at Mental Health Institute at Clarinda	30.00	30.00
T-6003-68	Arthur Stewart Cott Belongings destroyed when his cell was fire bombed at the State Penitentiary	548.43	332.31
T-6005-68	Robert J. Murphy, Jr. Auto paint damage from soot from U.N.I. power plant	504.55	300.00
T-6008-68	Dr. Virginia Hash Auto paint damage from soot from U.N.I. power plant	458.35	300.00
T-6009-68	Marlene Elizabeth Johnson Auto paint damage from soot from U.N.I. power plant	406.85	300.00
T-6019-68	Kathryn Jean Klaassen Property lost at Woodward State Hospital-School	153.46	153.46

T-6020-68	Ronald DeWayne Stevenson Property lost when he was transferred from Fort Madison to the prison at Stillwater	170.00	52.75
T-6022-69	Rama A. Kuhleman Injured when she fell in a hole at a State Park	Undetermined	2,250.00
T-6038-69	James L. Braxmeier Damage to auto paint from soot deposits from U.N.I. power plant	384.19	300.00
T-6039-69	John P. Veit Damages to auto when hit by a food cart at the State Juvenile Home	1,305.25	529.55
T-6042-69	Dvorsky Hereford Farms Loss of a steer when his cattle were stampeded by a National Guard Helicopter	700.00	700.00
T-6043-69	James E. Davis For shoes lost at the Riverview Release Center	39.00	39.00
T-6062-69	Sandra Jean Vehling Auto paint damage from soot from U.N.I. power plant	772.50	300.00
T-6072-69	Kellie Cunningham Auto damaged by cart at a State liquor store	61.80	61.80
T-6073-69	Richard James Hookway Seeks reimbursement for coat and gloves lost at the University Hospitals	50.00	50.00
T-6115-69	Rodger Quick For a radio lost by prison staff at Newton Work Release Center	20.00	20.00
T-6118-69	Steven Daniel Sager For a robe lost at the Riverview Release Center	40.00	40.00
T-6122-69	David E. Angelow Auto paint damage from soot from U.N.I. power plant	355.35	300.00
T-6132-69	John Boyd Briggs For a pair of shoes lost at the Mental Health Institute at Mt. Pleasant	48.00	48.00
T-6170-69	Janice Anita Makemson auto paint damaged by soot at University of Northern Iowa	532.51	532.51

T-6183-69	Vicki L. Gransow Auto damaged at the Mental Health Institute at Cherokee	104.34	104.34
T-6201-69	James R. Orcutt Auto paint damage from soot from U.N.I. power plant	626.24	300.00
T-6207-69	Colleen L. Silver Coat was damaged beyond repair during remodeling at the Grimes Building	95.15	119.95
T-6208-69	Pamela J. Collier Coat was damaged beyond repair during remodeling at the Grimes Building	204.69	133.90
T-6209-69	LaVonne H. Linn Coat was damaged beyond repair during remodeling at the Grimes Building	104.64	110.00
T-6224-69	David John Simmons Eight-track tapes sent to him at the Penitentiary at Fort Madison which he never received	60.00	60.00
T-6279-69	Regina A. Thompson Damage to auto from gate at a parking ramp at the University of Iowa	52.96	52.96
T-6330-69	Michael Sterling Pingel Auto paint damage from soot from U.N.I. power plant	550.02	300.00
T-6347-69	Joseph L. Woods Tape recorder lost by staff at the Iowa State Penitentiary	150.00	67.24
T-6434-69	Roderick D. Powers Damage to auto from gate at a parking ramp at I.S.U.	64.89	64.89
T-6446-69	Calvin Andrew Eley Missing property at Iowa State Penitentiary at Fort Madison	159.00	159.00
T-6448-69	William Harrison Stephen Television set broken during a shakedown for drugs at the State Penitentiary	107.00	107.00
T-6455-69	Marion Wilson Contents of freezer spoiled when a Homecare worker from D.S.S. forgot to plug in freezer after defrosting	137.65	137.65
T-6459-69	David A. Fincham Damage to auto by a parking gate malfunctioning at the University of Iowa	53.56	53.56

T-6460-69	Carol A. Gruber Auto paint damage from soot from U.N.I. power plant	358.44	300.00
T-6469-69	Ethelyn Marjorie Snyder Auto paint damage from soot from U.N.I. power plant	463.50	300.00
T-6490-69	Lola Alexander Expense incurred as a result of a fall while boarding a UNICUE van (Payment as amended)	39.00	49.00
T-6496-69	Kenneth E. Score Auto paint damage from soot deposits from U.N.I. power plant	380.00	300.00
T-6499-69	Donald C. Springer Damage to Winnebago Motor Home by tractor mower at a State Park	615.94	615.94
T-6500-69	Thomas W. Clary Damages to auto resulting from a rock thrown by a lawn mower at a State Park	44.29	44.29
T-6511-69	John W. Murphy Claimant was injured when a Security Guard ran over his foot at the State Fair Grounds	127.80	127.80
TE-6522-69	George Junior Nowlin For a miniature grandfather clock which was missent to another inmate's parents by the mail room at the State Penitentiary	153.01	153.01
T-6523-69	John M. Vetter Auto was damaged by a tractor driven by an employee at the State Forest Nursery in Ames	189.62	189.62
T-6576-69	Randy D. Kolbe Damage to auto paint from soot emissions from the U.N.I. power plant	360.50	300.00
TE-6583-69	Gahring Construction Incorporated Damage to vehicle parked at a construction site and hit by an endloader driven by an employee of the Conservation Commission	340.57	340.57
T-6607-69	Richard Donald Cota Damages to camper as a result of a tractor mower mishap at the Yellow River State Forrest	61.80	61.80

TE-6610-69	Vella M. Adkisson Window accidentally broken by a social worker	21.82	21.82
T-6638-69	Sister Mary Claver Ryan Auto paint damaged by a dog at the Womens Reformatory at Rockwell City	72.62	72.62
T-6642-69	Michael Knezovich Cost to remove tar from auto (This was a D.O.T. Tort claim that was misfiled. Paid from Road Use Fund.)	55.00	55.00
T-6700-69	Kenneth Phillips Auto damage from hitting a hole in an area of road construction (This was a D.O.T. Tort claim that was misfiled. Paid from Road Use Fund.)	396.73	396.73
T-6734-69	Harvey Uhlenhopp Damages to auto that was parked in its proper place by the State Capitol Building	364.98	364.98
T-6760-69	Jon David Bickford Injuries received in a diving accident at Lake Wapello	152.39	152.39
T-6795-69	First Northwestern Trust Co. of North Dakota Cost of Indemnity Bond	1,799.84	1,799.84

CHAPTER 25A HIGHWAY TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1980

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-235-67-T	Wayne Plagge Crop damage resulting from a drainage problem created by construction of I-35	\$ 613.60	613.60
H-705-68-T	Sandra S. Duwa Personal injury resulting from an accident due to icy highway conditions	36,700.00	5,000.00
H-713-68-T	Robert Wiezorek & Esther Gienap Damage to soybeans as a result of flooding	2,784.88	1,800.10
H-736-68-T	Elizabeth Leona Daniel Rock was thrown from a mower through her window (Should have been filed as a General Tort. Payment made from General Fund.)	39.66	39.66

H-763-68-T	Max Nye Wind carried paint spray onto his auto parked in a designated parking area	148.32	148.32
H-765-68-T	Cynthia Ingraham Auto became covered with oil	41.20	41.20
H-767-68-T	Donald R. Wendling Reimbursement for crop loss due to blocked natural drainage allegedly caused by construction	350.00	350.00
H-772-68-T	William J. Burns Reimbursement for cost to remove a mixture of linseed oil which drifted onto his car when parked under a ramp to U.S. 34	75.00	75.00
H-774-68-T	Glenbrooke Homes Auto was hit by a farm vehicle entering the highway from an I.S.U. experimental farm (Should have been filed as a General Tort. Payment made from the General Fund.)	549.43	549.43
H-775-68-T	James Lee Stevens Costs to remove oil from auto	213.58	53.70
H-783-68-T	Joan Beddow Claimant alleges that a large cable fell and swung into her auto damaging the front and left fender	958.30	113.30
H-784-68-T	William J. Calhoun Sign fell from light post and damaged the right front fender of his auto	118.45	118.45
H-786-68-T	Maxine J. Hohl Claimant alleges her auto was sprayed with linseed oil by a D.O.T. employee	130.18	130.18
H-790-68-T	Roumas E. Westerbeck & Union Insurance Group Car owned by Westerbeck was allegedly sprayed with linseed oil	56.55	56.55
H-810-68-T	Ivan C. Borcharding For costs incurred in the repair of his basement drainage tile as a result of road construction	140.00	140.00
H-812-69-T	Bernita Coonrod Reimbursement for a walnut tree cut down by a Department of Transportation road crew	1,000.00	750.00

H-813-69-T	Midwest Mutual Insurance Co. Damages to insured's motorcycle caused by hitting a deep rut at the edge of the payment	563.71	563.71
H-817-69-T	Martin A. Kuker Seeks reimbursement for damages to a building formerly rented to Beer and Liquor Control (Should have been a General Tort claim. Payment was made from the General Fund.)	400.00	400.00
H-819-69-T	International Harvester Co. Highway sign on the interstate was blown down by high winds and a piece of the sign struck their vehicle	329.93	329.93
H-820-69-T	Sanford & Barbara Bliesner Spraying of linseed oil by D.O.T. maintenance crew landed on their automobile	65.00	65.00
H-823-69-T	Donald Richard Printy Newly painted house had to be repainted because of road construction	744.73	744.73
H-831-69-T	Erich Paul Dolter Motorcycle damage, medical bills, and damaged clothing incurred from accident due to deep rut at edge of pavement at road construction site	1,167.16	917.16
H-843-69-T	City of Cresco While moving a city owned pickup a D.O.T. employee caught the left door on a cement post	195.00	195.00
H-850-69-T	Pat Van Wyk Reimbursement for the cost of removing tar from her auto	166.35	166.35
H-852-69-T	Louise E. Enovoldsen Injuries she received when she fell on ice outside the door of the DOT Office of Operating Authority Building	207.00	207.00
H-855-69-T	Cliff L. Makohoniuk Tire and rim ruined when he hit a pot hole on the highway	80.47	80.47
H-856-69-T	Gerald D. Bice Pickup truck damaged when he ran over a surveying instrument on a tripod left on the highway (This should have been a General Tort since the blame was placed on an Iowa State University engineering student. Payment was made from the General Fund.)	250.08	250.08

H-859-69-T	Larry Harold Krueger Reimbursement for costs to his motorcycle which was damaged when he hit a hole in the pavement (This should have been a General Tort as the road was maintained by the D.S.S. Payment was made from the General Fund.)	253.15	253.15
H-865-69-T	David Rogozzi Seeks reimbursement for the cost of removing oil from his auto	80.00	80.00
H-869-69-T	Joseph L. Green Cost to remove white traffic paint from the bottom of his auto	87.55	87.55
H-875-69-T	Don L. Abington, III Costs for hammering out rims that were dented when he hit a large hole on I-80	15.45	15.45
H-878-69-T	Richard T. Muller Damage to motorcycle when he hit a pile of glass beads on the highway causing him to lose control	210.08	210.08
H-880-69-T	Otto H. Montagne Damaged to auto as a result of a D.O.T. lawn mower tossing a rock through the window	151.50	151.50
H-883-69-T	James H. Tuttle Crop loss on three acres and future loss of land use caused by siltation from newly constructed ditches and slopes on Iowa 330	975.00	975.00
H-884-69-T	Lois Bishop Hit chuck hole on interstate damaging 2 wheel rims and causing flat tire	78.75	78.75
H-892-69-T	Randall P. Pryor Claimant cut his finger quite severely on the broken glass in the scale house door	Undetermined	32.65
H-893-69-T	Paul J. Pietsch, Jr. Damage to tire when he struck a chuck hole on the interstate	5.60	5.60
H-901-69-T	Albert J. Griebe When passing a D.O.T. maintenance crew, a rock or chunk of cement flew into the windshield breaking it	225.57	225.57

CHAPTER 25A - TORT CLAIMS
JUDGMENTS & SETTLEMENTS AT OR BEFORE TRIAL - 1980

Former Claim No.	Name of Claimant Nature of Claim	Amount Prayed	Amount Settled
H-103-66-T	Wayne W. Johnson Personal Injury (Judgment)	\$2,000,000.00	\$ 466,000.00 + Int.
H-168-66-T	Wesley W. Plath Property Damages (Settlement)	77,800.00	17,500.00
H-338-67-T	Norman Eugene Kuhlman Personal Injury & Property Damages (Settlement)	259,500.00	4,500.00
H-401-67-T (A) &	Harlan F. Heidelbauer Personal Injury (Settlement)	125,000.00	
H-401-67-T (B) &	Todd Heidelbauer	50,000.00	
H-401-67-T (C) &	Lauri Heidelbauer	62,500.00	
H-401-67-T (D) &	Traci Heidelbauer	75,000.00	
H-4012-67-T (E)	Linda Heidelbauer	50,000.00	20,000.00
H-408-67-T	Estate of Judy Rae Hennessey, Goldie Knapp, Executor Personal Injury (Settlement)	700,000.00	5,000.00
H-446-67-T	Caseys General Store Property Damages (Settlement)	20,908.00	500.00
H-450-67-T	Cecil Stockburger Personal Injury (Settlement)	50,000.00	
& H-451-67-T	Ethel Stockburger	200,000.00	3,625.00
H-462-67-T	Kenneth Schmidt Personal Injury (Settlement)	45,000.00	
& H-463-67-T	Bonnie Trowbridge	33,483.53	10,000.00

H-507-68-T	Charles E. Everson Personal Injury (Settlement)	2,900,000.00	
&			
H-508-68-T	Ideal Truck Lines	2,900,000.00	
&			
H-525-68-T	Charles E. Everson	250,000.00	
&			
H-526-68-T	Ideal Truck Lines	250,000.00	200,000.00
H-568-68-T	L. Eugene Riley Property Damages (Settlement)	20,000.00	20,000.00
H-600-68-T	Stanley Moser Property Damages (Judgment)	3,600.00	
&			
H-601-68-T	Stanley Moser	2,700.00	152.50 + Int.
H-605-68-T	James F. Prince Personal Injury (Settlement)	20,377.00	
&			
H-606-68-T	Thelma J. Prince		950.00
H-617-68-T	Delmont Charles Webster Personal Injury (Settlement)	30,000.00	500.00
H-628-68-T	Ben & Dorothy Bugg Property Damages (Settlement)	2,800.00	300.00
H-663-68-T	Patrick J. Perry Admn. of the Estate of Steven S. Perry, Deceased Personal Injury (Settlement)	125,000.00	17,500.00
H-678-68-T	Eldon Hunt Personal Injury (Settlement)	Undetermined	41,396.05
H-683-68-T	Edith R. Kelly, Admn. of the Estate of Roger A. Kelly, Deceased Wrongful Death (Settlement)	750,000.00	7,500.00
H-697-68-T	JoAnn E. Bisignano Property Damages (Judgment)	268.99	268.99 + Int.

T-262-66	Harold Berg Wrongful Death (Settlement)	175,000.00	2,750.00
T-2669-67	Elizabeth Dorsey Personal Injury (Judgment)	Undetermined	144,500.00 + Int.
T-3058-67	Charles E. Kivett Admn. of Estate of Luis A. Trujillo Wrongful Death (Settlement)	200,000.00	7,500.00
T-3904-67	Helen & Edward Ryan Personal Injury (Settlement)	46,000.00	
&			
T-3261-67	Iowa High School Athletic Assn.	Undetermined	2,000.00
T-3267-67	Harvey Wilson Wrongful Death (Settlement)	125,000.00	
&			
T-3268-67	Edwin Wilson Admn. of the Estate of Nicole Wilson, Deceased	325,000.00	36,000.00
T-3449-67	William J. Wood Property Loss (Settlement)	60.00	
&			
T-4547-68	William James Wood	116.00	126.43
T-4122-67	Gregory Dewight Schuette Personal Injury (Judgment)	250,000.00	20,000.00 + Int.
TE-4659-68	Ruth Lenora Olson Personal Injury (Settlement)	125,000.00	
&			
T-4660-68	Ruth Lenora Olson	125,000.00	
&			
TE-4661-68	Harry LaVern Olson	25,000.00	
&			
T-4662-68	Harry LaVern Olson	25,000.00	12,500.00
T-4915-68	Reba J. Klenke Personal Injury (Settlement)	696.75	500.00

T-4926-68	Tom Sorenson Personal Injury (Settlement)	40,000.00	7,000.00
T-4930-68	Dale L. Geise Property Damages (Judgment)	716.50	785.45
T-5121-68	Estate of Ronnie Ray Buban Personal Injury (Settlement)	175,000.00	22,500.00
T-5208-68	Leonard O. Goff Personal Injury (Settlement)	215,323.00	15,000.00
T-5621-68	June L. Ruby Personal Injury (Settlement)	Undetermined	80,075.00
T-5717-68	Vance C. Lipovac Property Damages (Settlement)	31,873.08	1,500.00
T-5790-68	John B. Frick Property Damages (Settlement)	1,712.38	1,712.38
TE-5970-68	Lyle Frederic Mickelson Personal Injury (Settlement)	4,500.00	1,500.00
T-6203-69	Mary Kathryn Terrell Personal Injury (Settlement)	250,000.00	12,500.00

December 22, 1980

Ms. Linda Howarth Mackay
Secretary of the Senate
Statehouse
LOCAL

Dear Ms. Mackay:

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

These include 63 claims of a general nature that have been denied by the State Appeal Board during the year 1980.

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

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

Receipt of the above is hereby acknowledged.

LINDA HOWARTH MACKAY
Secretary of the Senate

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
5331-68-25	Calvin Eugene Perry Anamosa, Iowa Damages due to mail being opened at Men's Reformatory	\$ 150,000.00	Disapproved
5380-68-25	ADASI Des Moines, Iowa Outdated State billings	1,207.68	Disapproved
5502-68-25	James Earl Byers Mount Pleasant, Iowa Loss of a can of "tip cleaner"	1.10	Disapproved
5634-68-25	Neuro-Associates, P.C. Des Moines, Iowa \$770.00 has been paid but \$100.00 is a non-reimbursable expense	870.00	Disapproved
5697-68-25	Dr. V.R. Heimann Sioux City, Iowa ENT examination given a Title XIX patient	15.00	Disapproved
5703-68-25	Gaylord Dean Liening Glenwood, Iowa Request for refund of license fees	10.00	Disapproved
5713-68-25	Planned Parenthood of Southeast Iowa Mt. Pleasant, Iowa Services provided to be reimbursed through Title XX	1,464.00	Disapproved
5735-68-25	Glenn Kimball Mason City, Iowa Services provided a D.S.S. client	49.50	Disapproved
5795-68-25	Mary Ann Carlson Middletown, Iowa Request for back pay	395.10	Disapproved
5843-68-25	Dushan Orlich Des Moines, Iowa Reimbursement for unused sick leave	2,000.00	Disapproved
5890-68-25	Iowa Lutheran Hospital Des Moines, Iowa Treatment for involuntary commitment for substance abuse	3,349.18	Disapproved

5907-68-25	Lavonia Boutchee Fort Dodge, Iowa Outdated claim	259.97	Disapproved
5944-68-25	Shean Sherzan Altoona, Iowa Outdated travel expenses	28.16	Disapproved
5977-68-25	Harold Dickey Transport, Inc. Packwood, Iowa Request for Use Tax refund	17,176.97	Disapproved
5979-68-25	Kenneth D. Stark Mason City, Iowa Request for back pay	135.00	Disapproved
5991-68-25	Western Wholesalers Spencer, Iowa Request for license refund	254.37	Disapproved
5995-68-25	T. Scott Bannister Des Moines, Iowa Request for back pay	400.00	Disapproved
5998-68-25	Guy Leith Cambridge, Iowa Furniture storage fees	256.50	Disapproved
6060-69-25	D.L. Turner Trucking, Inc. Elliott, Iowa Request for license fee refund	329.70	Disapproved
6071-69-25	Douglas L. Grage Davenport, Iowa Refund for "overcharges" on license fees	84.00	Disapproved
6078-69-25	William Dehlinger Phoenix, Arizona Request for license refund	30.00	Disapproved
6106-69-25	Dr. Robert C. Larimer Sioux City, Iowa Services provided a Title XIX patient	271.00	Disapproved
6125-69-25	Norman Eastvold Spring Valley, Minnesota Prorate refund	297.48	Disapproved
6128-69-25	Louis Martin Des Moines, Iowa Difference between first and coach class airline tickets	30.00	Disapproved
6135-69-25	William R. Masterson Council Bluffs, Iowa Cost to replace eye glasses	102.00	Disapproved
6158-69-25	Internal Revenue Services Des Moines, Iowa Outdated billing	429.20	Disapproved

6166-69-25	Lakes Area Home Care Service Emmetsburg, Iowa Outdated invoice	80.52	Disapproved
6179-69-25	Polk County Department of Social Services Des Moines, Iowa Reimbursement for salaries of county employees working on Federal programs	494,581.97	Disapproved
6187-69-25	William Jackson Arlington Heights, Illinois Reimbursement for parking expenses	237.15	Disapproved
6188-69-25	Yellow Freight System, Inc. Overland Park, Kansas Prorate refund on vehicles that were set aside	2,352.98	Disapproved
6211-69-25	Spirit Lake Ready Mix Inc. Spirit Lake, Iowa Refund of fees paid on a truck that was destroyed	178.75	
6232-69-25	Des Moines Metro Area Solid Waste Agency Des Moines, Iowa Outdated invoice	172.72	Disapproved
6233-69-25	Iowa Methodist Medical Center Des Moines, Iowa Outdated claim for Title XIX funds that exceeds the 365 day limitation	1,222.00	Disapproved
6234-69-25	Hehr International Inc. Newton, Kansas Refund of license fees	35.40	Disapproved
6301-69-25	Raymond A. Turner Forest City, Iowa Reimbursement for sick leave	4,400.00	Disapproved
6313-69-25	LeAnn Kay Bice Woodward, Iowa Replacement of a contact lens	62.00	Disapproved
6332-69-25	C.H. Isbill, D.D.S. Wapello, Iowa Seeks reimbursement under Title XIX	285.00	Disapproved
6333-69-25	Marc Roberg Afton, Iowa Reimbursement for expenses for storing his household goods	376.60	Disapproved
6443-69-25	Gary L. Barton Red Oak, Iowa Seeks prorated refund	645.00	Disapproved

6467-69-25	Muscatine General Hospital Muscatine, Iowa Seeks reimbursement under Title XIX	178.50	Disapproved
6493-69-25	Mt. Sterling Grain Co., Ltd. Pulaski, Iowa Seeks prorated refund	176.86	Disapproved
6501-69-25	Montgomery County Memorial Hospital Red Oak, Iowa Outdated invoice for a patient under Title XIX	1,508.50	Disapproved
6528-69-25	Robert Charles Aldrich Des Moines, Iowa Reimbursement for expenses	125.00	Disapproved
6532-69-25	Merrill Jones Fontanelle, Iowa Seeks reimbursement under Title XIX	126.00	Disapproved
6582-69-25	Muscatine General Hospital Muscatine, Iowa Reimbursement request for services provided a patient under Title XIX	1,025.00	Disapproved
6588-69-25	Joseph B. Baker, D.O., F.A.C.G.P. Greenfield, Iowa Reimbursement request for services provided a patient under Title XIX	15.00	Disapproved
6593-69-25	Medi Mart Medical Supply Co. Minneapolis, Minnesota Reimbursement request from Title XIX funds	2,198.00	Disapproved
6630-69-25	Hauptert Livestock Company, Inc. Fairfield, Iowa Seeks Prorated refund on a truck destroyed in a fire	Undetermined	Disapproved
6673-69-25	Iowa Methodist Medical Center Des Moines, Iowa Reimbursement request for a patient under Title XIX	1,277.29	Disapproved
6720-69-25	Schoitz Memorial Hospital Waterloo, Iowa For services provided a Title XIX patient	2,645.89	Disapproved
6721-69-25	Grinnell General Hospital Grinnell, Iowa For services rendered a Title XIX patient	57.56	Disapproved
6722-69-25	R. Bruce Bedell, M.D. Sioux City, Iowa For services rendered a Title XIX patient	101.00	Disapproved

6724-69-25	Donald C. Honkomp Estate Sheldon, Iowa Seeks reimbursement for unused sick leave	2,000.00	Disapproved
6728-69-25	Allen Memorial Hospital Waterloo, Iowa For services rendered a recipient of Title XIX	480.26	Disapproved
6744-69-25	Chris S. Brown, DO Des Moines, Iowa For services rendered a Title XIX recipient	693.00	Disapproved
6745-69-25	Mickle Pharmacy, PC Shenandoah, Iowa Seeks reimbursement for patient under Title XIX	28.90	Disapproved
6751-69-25	Chris S. Brown, DO Des Moines, Iowa For services rendered a Title XIX recipient	211.00	Disapproved
6758-69-25	Grinnell General Hospital Grinnell, Iowa Seeks reimbursement for patient under Title XIX	144.00	Disapproved
6759-69-25	John R. Davids Buffalo Center, Iowa Prorate refund of fees paid twice on same unit	530.88	Disapproved
6762-69-25	Wiest Truckline, Inc. Jamestown, N. Dakota Request for refund of prorate fees	41.40	Disapproved
6784-69-25	Chris S. Brown, DO Des Moines, Iowa Request for reimbursement of services rendered a Title XIX recipient	420.00	Disapproved
6799-69-25	The Gilfillan Clinic, PC Bloomfield, Iowa Request of payment for services rendered a Title XIX recipient	1,724.50	Disapproved
6828-69-25	Richard G. Kirsch, M.D. Request of payment for services rendered a Title XIX recipient	355.00	Disapproved

INTRODUCTION OF BILLS

Senate File 65, by Doyle, a bill for an act providing for the suspension of a person's authority to operate a motor vehicle pursuant to an order of the district court rendered after the person fails to appear in response to a citation which charges an offense involving the operation of a motor vehicle or fails to satisfy a subsequent judgment ordering payment of a fine.

Read first time under **Rule 28** and passed on file.

Senate File 66, by Rodgers, a bill for an act relating to the elimination of the effect of the temporary delay in the phase out of personal property tax.

Read first time under **Rule 28** and passed on file.

Senate File 67, by Rodgers, a bill for an act to allow the use of tires with inserted ice grips or tire studs upon payment of a ten dollar fee with a December 1 effective date.

Read first time under **Rule 28** and passed on file.

Senate File 68, by Rodgers, a bill for an act to provide for a compact on midwestern regional education.

Read first time under **Rule 28** and passed on file.

Senate File 69, by Rodgers, a bill for an act extending from five to ten years the period during which a health care facility or portion of a facility constructed or altered in accordance with plans and specifications approved by the department of health may not be considered deficient or ineligible for licensing due to failure to comply with any subsequently established rule or standard.

Read first time under **Rule 28** and passed on file.

Senate File 70, by Priebe, a bill for an act requiring all motor vehicles to be equipped with fire extinguishers and providing a penalty.

Read first time under **Rule 28** and passed on file.

Senate File 71, by Priebe, a bill for an act relating to work requirements for general relief recipients and to the establishment of employment standards for local taxing districts.

Read first time under **Rule 28 and passed on file.**

Senate File 72, by Priebe, a bill for an act to allow the cutting and removal of hay from the right of way of certain highways by adjacent property owners.

Read first time under **Rule 28 and passed on file.**

Senate File 73, by Priebe, a bill for an act relating to venue for certain traffic offenses.

Read first time under **Rule 28 and passed on file.**

Senate File 74, by Hutchins, a bill for an act authorizing merged areas to acquire and operate student residence halls, dormitories, and student centers including dining and parking facilities, and to finance the cost with revenue bonds.

Read first time under **Rule 28 and passed on file.**

Senate File 75, by Hutchins, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty.

Read first time under **Rule 28 and passed on file.**

Senate File 76, by Hutchins, a bill for an act authorizing certain sales tax permit holders to retain a portion of the state sales and services taxes collected.

Read first time under **Rule 28 and passed on file.**

Senate File 77, by Hutchins, a bill for an act relating to the consecutive length of time permitted for camping in state parks or preserves.

Read first time under **Rule 28 and passed on file.**

Senate File 89, by Nystrom, a bill for an act relating to administration and benefits of retirement systems for peace officers and police officers and fire fighters.

Read first time under **Rule 28 and passed on file.**

Senate File 90, by Craft, a bill for an act to repeal the requirement that existing public schools maintain twelve grades.

Read first time under **Rule 28 and passed on file.**

Senate File 91, by Craft, Rodgers and Readinger, a bill for an act to impose an additional tax on the change in use of agricultural land, and imposing penalties for violations.

Read first time under **Rule 28 and passed on file.**

Senate File 92, by Jensen, Gentleman and Baugher, a bill for an act to terminate membership of members of the general assembly, previous members of the general assembly and elective state officials in the Iowa public employees' retirement system, effective January 1, 1982.

Read first time under **Rule 28 and passed on file.**

COMMUNICATIONS

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

DEPARTMENT OF TRANSPORTATION

A copy of the five year program in accordance with Section 307A.2, Subsection 12, Code 1979. Additional copies are available from the Department.

IOWA RAILWAY FINANCE AUTHORITY

A copy of the 1980 Annual Report of the Railway Finance Authority covering the first six months of the Authority. Additional copies are available from the Railroad Division, Department of Transportation.

UNIFORM STATE LAWS COMMISSION

A copy of the 1981 report of Commission on Uniform State Laws in accordance with Section 5.4, Code 1981, presented by the Chair, William C. Ball.

STUDY BILLS RECEIVED

S.S.B. 3 Commerce

Relating to the liability of the industrial loan guaranty fund for acts and omissions of the auditor of state.

S.S.B. 4 Judiciary

Relating to the composition, organization, administration,

supervision and funding of the judicial department of Iowa and making an appropriation.

S.S.B. 5 Education

Relating to the definition of the Higher Education Act of 1965 and providing that the Act will take effect upon its publication.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	1	State Government
S. J. R.	2	State Government
S. F.	26	Transportation
S. F.	27	Judiciary
S. F.	28	State Government
S. F.	29	Education
S. F.	30	Ways and Means
S. F.	31	Ways and Means
S. F.	32	Ways and Means
S. F.	33	Transportation
S. F.	34	State Government
S. F.	35	Commerce
S. F.	36	Ways and Means
S. F.	37	Transportation
S. F.	38	State Government
S. F.	39	State Government
S. F.	40	Ways and Means
S. F.	41	State Government
S. F.	42	State Government
S. F.	43	Commerce
S. F.	44	Commerce
S. F.	45	Judiciary
S. F.	46	County Government
S. F.	47	Education
S. F.	49	Judiciary

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convended: January 13, 1981, 8:00 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Van Gilst.

Members Absent: Waldstein.

Other Committee Business: Organizational meeting and adoption of committee rules.

Adjourned: 8:40 a.m.

COUNTY GOVERNMENT

Convened: January 13, 1981, 3:00 p.m.

Members Present: Briles, Chairperson; Waldstein, Vice Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger.

Members Absent: none.

Other Committee Business: Organizational meeting.

Adjourned: 3:30 p.m.

EDUCATION

Convened: January 14, 1981, 2:30 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Final Bill Action: Senate File 93, a bill for an act relating to the definition of the Higher Education Act of 1965 and providing that the Act will take effect upon its publication.

Recommendation: ^{*}APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gratias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Organizational meeting; adoption of committee rules.

Adjourned: 3:00 p.m.

JUDICIARY

Convened: January 13, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Small.

Members Absent: Taylor.

Other Committee Business: Organizational meeting and adoption of committee rules; assigned SSB 1 to subcommittee.

Adjourned: 3:25 p.m.

RULES AND ADMINISTRATION

Convened: January 14, 1981, 1:10 p.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Kinley, Ranking Member; Holden, Ramsey and Junkins.

Members Absent: none.

Final Bill Action: Senate Concurrent Resolution 2, a resolution providing for Joint Rules for the Sixty-ninth General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Hultman, Hulse, Holden and Ramsey. Nays, 2: Kinley and Junkins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:30 p.m.

TRANSPORTATION

Convened: January 13, 1981, 1:30 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom.

Members Absent: none.

Final Bill Action: Senate File 87, a bill for an act providing for the designation of handicapped parking spaces and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 2:00 p.m.

WAYS AND MEANS

Convened: January 13, 1981, 1:30 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Lura, Priebe, Rush and Van Gilst.

Members Absent: Junkins, Palmer, Ramsey and Taylor.

Other Committee Business: Adoption of committee rules; received reports from interim committees.

Adjourned: 1:43 p.m.

AMENDMENTS FILED

S—3002	S. R.	2	Calvin O. Hultman Lowell L. Junkins
S—3003	S. R.	2	Calvin O. Hultman Lowell L. Junkins

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:08 p.m., until 9:00 a.m., Thursday, January 15, 1981.

Note: For explanation of brackets and italics, see page 58 of the Senate Journal.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 15, 1981

The Senate met in regular session at 9:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Keith Ellis, pastor of the Pleasant Ridge Community Church, Glidden, Iowa.

The Journal of Wednesday, January 14, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, Newton, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by Kinley, 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.

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

Senate File 94, by Doyle, a bill for an act requiring the state conservation commission to permit residents of the state to remove wood from certain parks and preserves under the jurisdiction of the state conservation commission, and providing a penalty.

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

Senate File 95, by Kinley, a bill for an act relating to the establishment by a city or county of a low income elderly program with partial funding by means of an income tax check-off of an individual's state income tax refund and providing a January 1 effective date.

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

Senate File 96, by Kinley, a bill for an act to require a contractor to give notice to the property owner of payments made to lienholders, and providing a penalty.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:25 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

CONSIDERATION OF RESOLUTION

Senator Hultman asked and received unanimous consent to take up for consideration Senate Resolution 2.

Senate Resolution 2

On motion of Senator Hultman, Senate Resolution 2, a resolution providing for the Senate Rules for the Sixty-ninth General Assembly, filed January 12, 1981, and found on pages 19-42 of the Senate Journal, was taken up for consideration.

Senator Hultman offered amendment S—3004 filed by Senators Hultman and Junkins from the floor to page 18 of the resolution and moved its adoption.

Amendment S—3004 was adopted by a voice vote.

Senator Carr offered amendment S—3005 filed by him from the floor to page 26 of the resolution and requested a division: lines 1 through 4 as division S—3005A; lines 5 through 7 as division S—3005B.

Senator Carr withdrew division S—3005A.

Senator Carr moved the adoption of division S—3005B, which motion prevailed by a voice vote.

Senator Hultman offered amendment S—3002 filed by Senators Hultman and Junkins on January 14, 1981, to page 30 of the resolution and moved its adoption.

Amendment S—3002 was adopted by a voice vote.

Senator Junkins offered amendment S—3001 filed by Senators Junkins and Hultman on January 12, 1981, to page 30 of the resolution and moved its adoption.

Amendment S—3001 was adopted by a voice vote.

Senator Hultman offered amendment S—3003 filed by Senators Hultman and Junkins on January 14, 1981, to page 31 of the resolution and moved its adoption.

Amendment S—3003 was adopted by a voice vote.

Senator Comito offered amendment S—3006 filed by him from the floor to page 26 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3006 be adopted?" (S.R. 2) the vote was:

Ayes, 11:

Baughner	Bisenius	Carr	Comito
Dreeszen	Gratias	Jensen	Junkins
Palmer	Ramsey	Slater	

Nays, 35:

Anderson	Briles	Brown	Carney
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Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Priebe	Readinger	Rodgers	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Absent or not voting, 4:

Coleman	Kinley	Rush	Schwengels
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Amendment S—3006 lost.

Senator Hultman moved the adoption of the resolution as amended and requested a record roll call.

On the question "Shall the resolution as amended be adopted?" (S.R. 2) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Coleman	Kinley	Rush	Schwengels
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The motion prevailed and the resolution as amended was adopted.

COMMUNICATION

Senator Drake asked and received unanimous consent that the following communication be printed in the Senate Journal:

IOWA TRANSPORTATION POLICY

January 1, 1981

- GOAL** The transportation goal for Iowa is to provide adequate, safe, and efficient transportation services to the public.
- POLICY** The Iowa Department of Transportation will:
- A. General**
1. Promote a transportation system to satisfy user needs and maximize economic and social benefits for Iowa citizens.
 2. Provide for a participatory planning process which involves public, private, and citizen interests and which encourages complementary transportation and land development patterns.
 3. Encourage and support programs to provide commodity movement and mobility for all citizens.
 4. Develop and promote just and equitable policies and procedures for the registration and regulation of motor vehicles and common carriers of passengers and freight.
 5. Promote financing of the transportation system through user and non-user sources in an equitable manner.
- 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 movement from origin to destination;
 - contributes to the development and implementation of a comprehensive state plan;
 - exerts a positive influence on social, economic, and aesthetic values;
 - provides safe, convenient travel opportunities;
 - minimizes economic, energy and environmental costs;
 - coordinates available federal, state, and local resources;

- recommends appropriate investment and funding procedures;
 - makes the best use of land resources for permanent transportation use;
 - encourages more efficient use of energy resources;
 - fosters usage of technological advancements in transportation facilities; and
 - evaluates progress toward achievement of the goal contained in this policy.
2. Encourage and assist in the development of general aviation, airport facilities, and air-carrier services.
 3. Encourages and assist in the general development, preservation and efficient use of highway transportation through improvement programs to equalize functional adequacy of roads and streets throughout Iowa.
 4. Encourage and assist in the development, maintenance and improvement of public transit systems and services.
 5. Encourage and assist in developing and maintaining a viable railroad system which is responsive to the needs of Iowa and the United States.
 6. Encourage and assist in the development of programs which promote efficient use of river transportation.
 7. Develop and participate in programs to improve the safety of all transportation modes.
 8. Encourage and support development of transportation education programs.
- C. Program
1. Prepare a current and long-range program of capital investment, services, and regulatory practice—each year.
 2. Propose and promote legislative programs to facilitate an integrated transportation system.

INTRODUCTION OF BILLS

Senate File 97, by Taylor, a bill for an act relating to the teaching of the origin of humankind.

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

Senate File 98, by Taylor, a bill for an act to close the polls at eight o'clock at night for all elections.

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

Senate File 99, by Briles, a bill for an act providing for the issuance of free special registration plates to former prisoners of war, with a December 1 effective date.

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

Senate File 100, by Taylor, a bill for an act relating to the Iowa income tax on individuals by providing that interest earned on deposits by individuals at financial institutions is excluded from gross income and providing an income tax credit equal to a proportion of the individual taxpayer's eligible savings and investments.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 1

Commerce
 Baugher, Chairperson
 Craft
 Husak

SENATE FILE 9

Judiciary
 Ramsey, Chairperson
 Doyle
 Carr

SENATE FILE 11

Judiciary
 Murray, Chairperson
 Small
 Lura

SENATE FILE 13

Commerce
 Holden, Chairperson
 Jensen
 Deluhery

SENATE FILE 16

Transportation
 Drake, Chairperson
 Jensen
 Coleman

SENATE FILE 25

Transportation
 Hutchins, Chairperson
 Bisenius
 A. Miller

SSB 2

Transportation
 Comito, Chairperson
 Jensen
 Doyle

SSB 4

Judiciary
 DeKoster, Chairperson
 Coleman
 Kudart
 Rush
 Dreeszen

SENATE FILE 2

Judiciary
 Rush, Chairperson
 Dreeszen
 Taylor

SENATE FILE 10

Commerce
 DeKoster, Chairperson
 Holden
 Rush

SENATE FILE 12

Judiciary
 Baugher, Chairperson
 Deluhery
 Kudart

SENATE FILE 15

Labor and Industrial Relations
 Goodwin, Chairperson
 Gratijs
 Brown

SENATE FILE 17

Transportation
 Comito, Chairperson
 Jensen
 Doyle

SSB 1

Judiciary
 Kudart, Chairperson
 Coleman
 Ramsey

SSB 3

Commerce
 Deluhery, Chairperson
 Holden
 Rush

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 14, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; Deluhery, DeKoster and Gentleman.

Members Absent: none.

Other Committee Business: Organizational meeting; deferred passage of committee rules until the next meeting.

Adjourned: 10:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 14, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Nystrom and Hutchins.

Members Absent: none.

Other Committee Business: Organizational meeting; amended and adopted committee rules; introduced staff personnel and presented tentative schedule.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: January 14, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; A. Miller, Kudart and Readinger.

Members Absent: none.

Other Committee Business: Organizational meeting; adoption of committee rules.

Adjourned: 10:20 a.m.

APROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 14, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Organizational meeting and adoption of committee rules; outlined matters to be discussed in upcoming meetings.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 14, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Organizational meeting.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 14, 1981, 9:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Craft, Vande Hoef and Brown.

Members Absent: none.

Other Committee Business: Organizational meeting; adoption of committee rules.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 14, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: January 14, 1981, 9:30 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member and Anderson.

Members Absent: Drake and Holden.

Other Committee Business: Adopted committee rules and outlined agenda for the next two weeks.

Adjourned: 10:10 a.m.

CITIES

Convened: January 14, 1981, 3:05 p.m.

Members Present: Readinger, Chairperson; Comito, Vice Chairperson; A. Miller, Ranking Member; Carney, Holden, Kinley, Waldstein and Wells.

Members Absent: Slater.

Other Committee Business: Organizational meeting; introduction of committee members and staff.

Adjourned: 3:10 p.m.

COMMERCE

Convened: January 14, 1981, 1:30 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Craft, DeKoster, Jensen, Husak, Priebe and Rush.

Members Absent: Comito.

Other Committee Business: Organizational meeting and assignment of bills.

Adjourned: 1:45 p.m.

ENERGY

Convened: January 14, 1981, 1:40 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Briles, Doyle, Kudart, Readinger, Rodgers and Yenger.

Members Absent: none.

Other Committee Business: Organizational meeting and adoption of committee rules.

Adjourned: 2:00 p.m.

JUDICIARY

Convened: January 14, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Lura, Doyle, Murray, Deluhery, Ramsey, Small and Taylor.

Members Absent: Dreeszen.

Other Committee Business: Assigned bills and further discussion of rules.

Adjourned: 3:10 p.m.

STUDY BILLS RECEIVED**S.S.B. 6 Appropriations**

Relating to the accounting for pay periods which overlap two fiscal years.

S.S.B. 7 Appropriations

Abolishing the military service tax credit fund and providing for the payment of claims by counties for military service tax credits from the general fund of the state.

S.S.B. 8 Judiciary

Amending Chapter 692, criminal history and intelligence data.

S.S.B. 9 Appropriations

To provide for the reversion of all unencumbered balances in the depreciation fund of the state vehicle dispatcher as of December 15, 1980 to the general fund of the state.

S.S.B. 10 Commerce

Relating to the fees to be collected in connection with regulatory activities of the warehouse division of the Iowa state commerce commission.

S.S.B. 11 Commerce

Relating to transactions involving the storage, processing or sale of grain.

S.S.B. 12 Judiciary

To provide for special arson inspection warrants for the inspection of property destroyed by fire for the purpose of determining the cause, origin and circumstances of the fire.

S.S.B. 13 Judiciary

To prohibit operating a motor vehicle while having a certain percentage of alcohol in the blood, and to apply penalties.

S.S.B. 14 Judiciary

Staying proceedings against the state, a state agency, or a state employee when an appeal has been taken from judgment in favor of a claimant under the Iowa tort claims Act.

S.S.B. 15 Commerce

Permitting the Iowa development commission to establish offices outside of Iowa or the United States.

S.S.B. 16 Education

Relating to joint meetings of members of boards of an area education agency and its corresponding merged area.

S.S.B. 17 Education

To provide for redrawing director districts in a merged area.

S.S.B. 18 Education

To strike the requirement that boards of directors of districts proposing to issue general obligation bonds for school building construction or renovation must hold a meeting with the area education agency boards and boards of adjoining school districts.

S.S.B. 19 Education

Relating to school year requirements.

S.S.B. 20 Education

Relating to the authority of boards of directors of school districts and area education agencies in school reorganization proceedings.

S.S.B. 21 Education

Relating to the compulsory school attendance of children.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	48	State Government
S. F.	50	Education
S. F.	51	Ways and Means
S. F.	52	Ways and Means
S. F.	53	State Government
S. F.	54	Judiciary
S. F.	55	State Government
S. F.	56	Ways and Means
S. F.	57	Commerce
S. F.	58	Commerce
S. F.	59	State Government
S. F.	60	County Government
S. F.	61	State Government
S. F.	62	Ways and Means
S. F.	63	Ways and Means
S. F.	64	Ways and Means
S. F.	65	Judiciary
S. F.	66	Ways and Means
S. F.	67	Transportation
S. F.	68	Education
S. F.	69	Human Resources
S. F.	70	Transportation
S. F.	71	Labor and Industrial Relations
S. F.	72	Transportation
S. F.	73	Judiciary
S. F.	74	Education
S. F.	75	Commerce
S. F.	76	Ways and Means
S. F.	77	Natural Resources
S. F.	78	Judiciary
S. F.	79	Education
S. F.	80	Judiciary
S. F.	81	Labor and Industrial Relations

S. F.	82	State Government
S. F.	83	Commerce
S. F.	84	Ways and Means
S. F.	85	State Government
S. F.	86	Education
S. F.	88	State Government
S. F.	89	State Government
S. F.	90	Education
S. F.	91	Ways and Means
S. F.	92	State Government
S. F.	94	Natural Resources
S. F.	95	Ways and Means
S. F.	96	Commerce
S. F.	97	Education
S. F.	98	State Government
S. F.	99	Transportation
S. F.	100	Ways and Means
S. J. R.	3	State Government

AMENDMENTS FILED

S-3004	S. R.	2	Calvin O. Hultman Lowell L. Junkins
S-3005	S. R.	2	Bob Carr
S-3006	S. R.	2	Richard Comito

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 2:40 p.m., until 10:00 a.m., Monday, January 19, 1981.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 19, 1981

The Senate met in regular session at 10:00 a.m., President pro tempore Ramsey presiding.

Prayer was offered by Reverend Gerald Ryan, pastor of the St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Thursday, January 15, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Axel T. Lund, Marshalltown, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor for the day and January 20, 1981, on request of Senator Hultman; Senator Rush for the day on request of Senator Junkins.

INTRODUCTION OF RESOLUTION

SENATE RESOLUTION 3

By: Small

- 1 *Whereas*, state agencies issue numerous reports, and send
- 2 copies of such reports to the state legislators either in
- 3 response to statutory mandate or to keep legislators informed
- 4 of program progress and development; and
- 5 *Whereas*, state legislators receive more reports than they
- 6 can reasonably assimilate resulting in additional expenses
- 7 to the state; *Now Therefore*,
- 8 *Be It Resolved by the Senate*, That a state agency that
- 9 is either required by law to submit a report or that
- 10 voluntarily desires to make a report available to the members
- 11 of the senate shall notify the secretary of the senate when
- 12 the report is available for distribution. The secretary of
- 13 the senate shall periodically notify senators of the titles
- 14 of those reports that are available for distribution. Senators

15 who desire a copy of a report shall indicate such on a form
 16 provided by the secretary of the senate. The secretary of
 17 the senate shall obtain the report from the issuing agency
 18 for the senator.

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

CONSIDERATION OF BILL

Senator Hultman asked and received unanimous consent to take up for consideration Senate File 93.

Senate File 93

On motion of Senator Gratias, Senate File 93, a bill for an act relating to the definition of the Higher Education Act of 1965 and providing that the Act will take effect upon its publication, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 93) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Schwengels	Slater	Small
Tieden	Vande Hoef	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Doyle	Holden	Rush	Taylor
Van Gilst			

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

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 93** be immediately messaged to the House, which request was complied with.

RECESS

On motion of Senator Hultman, the Senate recessed until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President pro tempore Ramsey presiding.

INTRODUCTION OF BILLS

Senate File 101, by Kinley, a bill for an act authorizing cities and counties to license contractors.

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

Senate File 102, by Taylor, a bill for an act to allow children to receive equivalent instruction in lieu of attendance at a school.

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

Senate File 103, by Murray, a bill for an act relating to the payment of state inheritance taxes by means of the transfer of a work of art created by the decedent.

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

Senate File 104, by Carr, a bill for an act establishing a statute of limitations of one year for the adjustment of charges for public utility service.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

December 24, 1980

The Honorable Terry E. Branstad
Lieutenant Governor of Iowa
State Capitol Building
LOCAL

Dear Governor Branstad:

It is my pleasure to submit to the Senate for their consideration the name of Thomas H. Huston, Columbus Junction, Louisa County, Iowa, for reappointment as State Superintendent of Banking pursuant to Section 524.201, 1979 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

January 12, 1981

Ms. Linda H. Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of William J. Bestmann, Marshalltown, Marshall County, Iowa, for appointment as Director of the Iowa Development Commission pursuant to Section 28.3, 1981 Code of Iowa, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on
Rules and Administration.

APPENDIX**COMMUNICATIONS**

The following communication has been received and placed on file in the office of the Lieutenant Governor:

DEPARTMENT OF PUBLIC INSTRUCTION

A copy of the final report of the special education evaluation for Loess Hills AEA 13 pursuant to Section 281.9(6), Code 1979.

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

STATE BOARD OF REGENTS

A copy of the Board of Regents' Ten-Year Building Program for the period 1981-1991 pursuant to Section 262A.3, Code 1979. Additional copies are available upon request.

STUDY BILLS RECEIVED**S.S.B. 22 Education**

Relating to educational financial assistance administered by the college aid commission.

S.S.B. 23 Education

To exempt certain plans, programs, and grants of the department of public instruction from the Iowa Administrative Procedure Act.

S.S.B. 24 Education

To allow area education agencies to initiate appeal procedures for certain special education children.

S.S.B. 25 Education

Relating to the categories for the special education programs under the department of public instruction.

S.S.B. 26 Education

Relating to continuance of special education beyond a person's twenty-first birthday.

S.S.B. 27 Education

Relating to the cost of contracts with public or private agencies located outside the state for special education programs.

S.S.B. 28 County Government

Relating to the platting and recording of resurveyed or subdivided land.

S.S.B. 29 County Government

To extend the property tax levy for flood and erosion control to all taxable property outside the corporate limits of a city.

S.S.B. 30 County Government

Relating to the recording of real property conveyance pursuant to probate or marriage dissolution decrees.

S.S.B. 31 County Government

Relating to the disposition of unused highway right of way.

S.S.B. 32 County Government

Relating to the appointment of a member of a county board of supervisors to the council on social services, effective upon publication.

S.S.B. 33 County Government

Authorizing the appointment of legal counsel for county officers under certain circumstances.

S.S.B. 34 County Government

To remove the maximum rate of interest to be paid on investments of public funds other than those invested by the secretary of state.

S.S.B. 35 County Government

Increasing from four percent to eight percent the penalty to be paid to redeem property sold for delinquent taxes.

S.S.B. 36 County Government

Relating to the fees for filing, indexing, and copying financing statements and continuation statements under the uniform commercial code.

S.S.B. 37 Judiciary

Relating to the performance of unpaid community service by defendants convicted of crimes.

S.S.B. 38 County Government

Relating to the form of restricted and salvage certificates of title.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

Convened: January 15, 1981, 9:35 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Nystrom (arrived 9:45 a.m.) and Hutchins.

Members Absent: none.

Other Committee Business: Legislative Fiscal Bureau gave subcommittee a review of area of responsibility; announced schedule for week of January 20.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: January 15, 1981, 9:25 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Kudart, A. Miller and Readinger.

Members Absent: none.

Other Committee Business: Reviewed budgets for various agencies.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 15, 1981, 9:35 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Presentation and discussion of preliminary budget information pertaining to Natural Resources agencies.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 15, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Subcommittee hearings.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 15, 1981, 9:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Craft, Vande Hoef and Brown.

Members Absent: none.

Other Committee Business: Overview of DSS by Commissioner Michael Reagen; introduction of Council members and staff.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 15, 1981, 9:35 a.m.

Members Present: Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: Schwengels, Chairperson (excused).

Other Committee Business: Committee discussion regarding actual appropriations for 1980, 1981 and department requests for 1982 and 1983.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: January 15, 1981, 9:40 a.m.

Members Present: Bisenius, Chairperson; Anderson, Drake and Holden.

Members Absent: Coleman, Ranking Member.

Other Committee Business: Review of the Governor's Economy Committee recommendations and update of the Legislative Fiscal Bureau's analysis of fundings for the five departments under the subcommittee's purview.

Adjourned: 11:40 a.m.

EDUCATION

Convened: January 15, 1981, 3:00 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Taylor and Wells.

Members Absent: Small.

Other Committee Business: John Kerber from the State Comptroller's office presented a brief overview of the school foundation plan and also talked about secretary's balance and cash reserves.

Adjourned: 3:40 p.m.

HUMAN RESOURCES

Convened: January 15, 1981, 2:40 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef.

Members Absent: Coleman.

Other Committee Business: Adoption of committee rules; assigned bills to subcommittees.

Adjourned: 2:50 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: January 15, 1981, 8:00 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Anderson, Ranking Member; Goodwin, Gratias, Kinley and Wells.

Members Absent: Brown and Hultman.

Other Committee Business: Organizational meeting; adoption of committee rules; assigned bill to subcommittee.

Adjourned: 8:06 a.m.

STATE GOVERNMENT

Convened: January 15, 1981, 3:00 p.m.

Members Present: Nystrom, Chairperson, Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gentleman, C. Miller and Tieden.

Members Absent: Gallagher, Palmer and Schwengels (excused).

Other Committee Business: Organizational meeting.

Adjourned: 3:10 p.m.

WAYS AND MEANS

Convened: January 15, 1981, 2:45 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Lura, Priebe, Ramsey and Van Gilst.

Members Absent: Junkins (excused), Palmer, Rush and Taylor.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:48 p.m.

AMENDMENT FILED

S-3007	S. F.	87	Richard F. Drake Richard Comito
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ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:03 p.m., until 9:00 a.m., Tuesday, January 20, 1981.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 20, 1981

The Senate met in regular session at 9:00 a.m., President pro tempore Ramsey presiding.

Prayer was offered by the Reverend J. Wallace Gaines, pastor of the Antioch Baptist Church, Waterloo, Iowa.

The Journal of Monday, January 19, 1981, was approved.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:10 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., Senator Holden presiding.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 3

By: Hultman, Junkins and Gallagher

- 1 *Whereas*, 52 Americans were taken hostage in Iran
- 2 in the performance of their official duties; and
- 3 *Whereas*, the hostages conducted themselves with
- 4 dignity throughout their ordeal; and
- 5 *Whereas*, the families of the hostages exhibited
- 6 patience and supported the efforts of the United
- 7 States negotiators; and
- 8 *Whereas*, President Jimmy Carter and the members of
- 9 the State Department of the United States worked
- 10 tirelessly and patiently for the release of the
- 11 hostages; and
- 12 *Whereas*, Deputy Secretary of State Warren
- 13 Christopher spent untold hours negotiating with
- 14 the Algerian negotiators to bring the crisis to a
- 15 successful conclusion; *Now Therefore*,

16 *Be It Resolved by the Senate, the House Concurring,*
17 That it congratulate and express its heartfelt
18 appreciation to President Jimmy Carter, the United
19 States State Department, and the Deputy Secretary
20 Warren Christopher; and
21 *Be It Further Resolved,* That the Senate and House
22 express a great joy and prayerful thanks at the
23 reuniting of the hostages and their families; and
24 *Be It Further Resolved,* That the Senate and House
25 especially welcome the return of fellow Iowan Kathryn
26 Koob; and
27 *Be It Further Resolved,* that copies of this resolu-
28 tion be forwarded to President Jimmy Carter, Deputy
29 Secretary Warren Christopher, and Kathryn Koob.

Read first time and referred to the committee on Rules and Administration under Senate Rule 37.

INTRODUCTION OF BILLS

Senate File 105, by Taylor, a bill for an act relating to the valuation of land used for wildlife habitat purposes.

Read first time and passed on file.

Senate File 106, by Committee on Rules and Administration, a bill for an act correcting the law relating to the appointment and confirmation of certain gubernatorial appointments.

Read first time and placed on calendar.

APPENDIX**STUDY BILLS RECEIVED****S.S.B. 39 Transportation**

Relating to the operation and registration fees of motorcycles.

S.S.B. 40 State Government

Relating to retention of budget documents.

S.S.B. 41 State Government

Providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review or modification.

S.S.B. 42 State Government

Providing that the issuance of property tax receipts are optional.

S.S.B. 43 State Government

Relating to licensure of speech pathologists and audiologists.

S.S.B. 44 County Government

Relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties.

S.S.B. 45 Natural Resources

Repealing the chapter relating to the bounties for wild animals.

S.S.B. 46 Natural Resources

Prohibiting certain weapons and shot in the areas of and during the gun season for deer.

S.S.B. 47 County Government

Relating to the township clerks and township trustees.

REPORT OF COMMITTEE

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 3, a resolution regarding the release of the fifty-two American hostages in Iran.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Hultman, Junkins, Hulse and Holden. Nays, none. Absent or not voting, 2: Kinley and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 19, 1981, 10:02 a.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Ramsey, Schwengels, Slater, Small, Waldstein, Yenger, Anderson (arrived 10:05 a.m.) and Junkins (arrived 10:10 a.m.).

Members Absent: Rush and Van Gilst.

Other Committee Business: Organizational meeting; adopted committee rules; assigned study bills to subcommittees.

Adjourned: 10:28 a.m.

COMMERCE

Convened: January 19, 1981, 3:00 p.m.

Members Present: Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, Craft, DeKoster, Jensen, Husak and Priebe.

Members Absent: Holden, Chairperson (excused) and Rush (excused).

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:10 p.m.

EDUCATION

Convened: January 19, 1981, 1:30 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small and Wells.

Members Absent: Taylor (excused).

Other Committee Business: Assigned study bills to subcommittees.

Adjourned: 1:40 p.m.

HUMAN RESOURCES

Convened: January 19, 1981, 3:02 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member, Carr, Hulse, A. Miller, Slater and Vande Hoef.

Members Absent: Coleman, Drake, Gratias and Nystrom.

Other Committee Business: Assigned standing subcommittees; assigned bill to subcommittee.

Adjourned: 3:07 p.m.

RULES AND ADMINISTRATION

Convened: January 20, 1981, 8:35 a.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Holden and Ramsey.

Members Absent: Kinley, Ranking Member and Junkins.

Final Bill Action: Senate File 106, a bill for an act correcting the law relating to the appointment and confirmation of certain gubernatorial appointments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Hultman, Hulse, Ramsey and Holden. Nays, none. Absent or not voting, 2: Kinley and Junkins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: The committee referred the following Governor's appointments to **standing committees** for investigation:

James E. Huyser—Energy Policy Council—Energy Committee

Susan M. Stewart—Energy Policy Council—Energy Committee

Peter L.J. Pashler—Public Employment Relations Board—Labor & Industrial Relations Committee

Ann Frenzen—Environmental Quality Commission—Natural Resources Committee
James I. Middleswart—Environmental Quality Commission—Natural Resources Committee
Barbara Tollefson—Environmental Quality Commission—Natural Resources Committee
Clark A. Yeager—Environmental Quality Commission—Natural Resources Committee
Robert W. Schlutz—Environmental Quality Commission—Natural Resources Committee
Mary McNutt—Environmental Quality Commission—Natural Resources Committee
John R. Hagie—Environmental Quality Commission—Natural Resources Committee
Richard L. Timmerman—Environmental Quality Commission—Natural Resources Committee
Allan T. Thoms—Environmental Quality Commission—Natural Resources Committee
Earl M. Yoder—Iowa Housing Finance Authority—State Government Committee
E.J. Gene Paul—Professional & Occupational Regulation Commission—State Government Committee
Barbara J. Dunn—State Transportation Commission—Transportation Committee
Delmar VanHorn—State Transportation Commission—Transportation Committee
Richard P. Crawford, Jr.—Commission for the Blind—State Government Committee
Dianne L.D. Paca—State Board of Public Instruction—Education Committee
Jon H. Kneen—State Board of Public Instruction—Education Committee
Mark A. Wampler—Iowa Railway Finance Authority—Transportation Committee
Charles Crawford—Iowa Railway Finance Authority—Transportation Committee
O.R. Woods—Iowa Railway Finance Authority—Transportation Committee
Fred E. McKim—Iowa Railway Finance Authority—Transportation Committee
William McGrath—Iowa Railway Finance Authority—Transportation Committee

Adjourned: 8:50 a.m.

STATE GOVERNMENT

Convened: January 19, 1981, 1:30 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:39 p.m.

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 58, the following Senators were appointed to subcommittees of standing committees:

EDUCATION: As members of the State Board of Public Instruction:

JON H. KNEEN
Brown, Chairperson
Dreeszen
DeKoster

DIANNE L.D. PACA
Jensen, Chairperson
Small
Taylor

LABOR & INDUSTRIAL RELATIONS: As a member of the Public Employment Relations Board:

PETER L.J. PASHLER
Kinley, Chairperson
Anderson
Hulse

NATURAL RESOURCES: As members of the Environmental Quality Commission:

John R. Hagie, Ann Frenzen, Mary McNutt, James I. Middleswart, Robert W. Schlutz, Allan T. Thoms, Richard L. Timmerman, Barbara Tollefson and Clark A. Yeager.

Kudart, Chairperson
Gentleman
Hutchins

AMENDMENT FILED

S—3008	S. F.	87	Richard F. Drake John W. Jensen Richard Comito Donald V. Doyle
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ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:05 p.m., until 9:00 a.m., Wednesday, January 21, 1981.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 21, 1981

The Senate met in regular session at 9:00 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Stanley Jensen, pastor of the Baptist Church of Monticello, Monticello, Iowa.

The Journal of Tuesday, January 20, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Tom McCool, Des Moines, Iowa.

ADOPTION OF RESOLUTION

Senator Hultman asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 3.

Senate Concurrent Resolution 3

On motion of Senator Hultman, Senate Concurrent Resolution 3, a resolution regarding the release of the fifty-two American hostages in Iran, filed January 20, 1981, and found on pages 158-159 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of Senate Concurrent Resolution 3.

The motion prevailed by a voice vote and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Concurrent Resolution 3** be immediately messaged to the House, which request was complied with.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:20 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:03 p.m., President pro tempore Ramsey presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

INTRODUCTION OF BILLS

Senate File 107, by Gratiias, a bill for an act relating to the compulsory school attendance of children, and providing a penalty.

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

Senate File 108, by Taylor and Jensen, a bill for an act to provide standards for school boards in selecting textbooks and other educational material.

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

Senate File 109, by Taylor and Carr, a bill for an act relating to criminal investigative data, criminal history data, and intelligence data.

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

Senate File 110, by Dreeszen, a bill for an act appropriating funds to the state board of regents to be used for remodeling and building an addition to the agronomy building at Iowa state university of science and technology.

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

Senate File 111, by Priebe, a bill for an act to provide a credit of five percent of property taxes due to property taxpayers who pay all property taxes due for the fiscal year on or before September 30.

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

Senate File 112, by Committee on Appropriations, a bill for an act relating to the accounting for pay periods which overlap two fiscal years, effective upon publication.

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

Senate File 113, by Committee on Appropriations, a bill for an act abolishing the military service tax credit fund and providing for the payment of claims by counties for military service tax credits from the general fund of the state, to be effective upon publication.

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

Senate File 114, by Committee on Appropriations, a bill for an act to provide for the reversion of all unencumbered balances in the depreciation fund of the state vehicle dispatcher as of November 30, 1980 to the general fund of the state.

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

Senate File 115, by Hester, a bill for an act relating to the rights of intestate succession of adopted persons, their natural parents and adoptive parents.

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

Senate File 116; by Hester, a bill for an act relating to the state fair board convention.

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

APPENDIX

COMMUNICATION

The following communication was received in the office of the Secretary of the Senate:

A letter from Susan Hutchison, Senate Bill Clerk, conveying to the Iowa Senate the appreciation of her and her father for the memorial received on behalf of her late mother.

BILLS ASSIGNED TO COMMITTEE

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

S. R.	3	Rules and Administration
S. F.	101	Cities
S. F.	102	Education
S. F.	103	Ways and Means
S. F.	104	Commerce
S. F.	105	Agriculture

STUDY BILLS RECEIVED

S.S.B. 48 Natural Resources

Exempting persons hunting on game breeding and shooting preserves from having a wildlife habitat stamp or a pheasant stamp.

S.S.B. 49 Judiciary

To clarify the definition of farming for purposes of family farm corporations.

S.S.B. 50 Judiciary

To increase salaries of judicial officers.

S.S.B. 51 Judiciary

Relating to an adoptive person's inheritance.

S.S.B. 52 Judiciary

To eliminate the requirement that spouses execute the same joint instrument to convey the homestead.

S.S.B. 53 Judiciary

To permit a separate writing to identify bequests of tangible property in wills.

S.S.B. 54 Judiciary

To authorize gifts of insurance policies and annuity contracts under the Iowa Uniform Gifts to Minors Act and to authorize testamentary gifts and gifts by fiduciaries under the Act.

S.S.B. 55 Judiciary

Authorizing disclaimer and repealing present disclaimer statute.

S.S.B. 56 State Government

To repeal the requirement that the board of accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them.

S.S.B. 57 Commerce

To amend Chapter 1156, Acts of the Sixty-eighth General Assembly, 1980 Session, relating to the regulation of terms and conditions of certain loans, advances and extensions of credit.

S.S.B. 58 Commerce

Relating to products liability actions.

S.S.B. 59 Ways and Means

Sales and use tax on ink used in publication of a newspaper within Iowa.

S.S.B. 60 Ways and Means

Use taxes imposed on vehicles used solely in interstate commerce.

S.S.B. 61 Agriculture

Relating to transactions involving the storage, processing or sale of grain, and providing penalties.

S.S.B. 62 Ways and Means

Authorization for counties to impose a one percent local sales and service tax based on the state gross receipts tax, and authorization for cities and counties to impose an income surtax of twenty-three percent based upon the state income tax and a tax on every state-registered vehicle belonging to a resident.

FURTHER REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION*

*A previous report of this meeting was recorded on pages 162-163 of the Senate Journal.

Other Committee Business: The committee recommended the following Governor's appointments be confirmed by the Senate:

Michael J. Jackson — Credit Union Review Board
 Kathy S. Elliston — Board of Engineering Examiners
 Edward Engstrom — Iowa Family Farm Development Authority
 Gene E. Geissinger — Iowa Family Farm Development Authority
 Dwight O. Seegmiller — Iowa Family Farm Development Authority
 A.J. Walters — Iowa Family Farm Development Authority
 M. Linda Nichols — Iowa Family Farm Development Authority
 Steven A. Basler — Iowa Family Farm Development Authority
 George Schneiderman — Iowa Family Farm Development Authority
 John Soorholtz — Iowa Family Farm Development Authority
 Lois Schnoor — Iowa Family Farm Development Authority
 Herbert W. Randels — Occupational Safety & Health Review Commission
 Jack L. Dodd — State Board of Medical Examiners
 Rosalie B. Neligh — State Board of Medical Examiners
 Kathryn E. Gammack — State Board of Medical Examiners
 Joseph B. Baker — State Board of Medical Examiners
 Alexander Ervanian — State Board of Medical Examiners
 Vera V. French — State Mental Health Advisory Council
 Elwin Farwell — State Mental Health Advisory Council
 Richard J. Bealka — State Mental Health Advisory Council
 Margaret E. McDonald — State Mental Health Advisory Council
 Farrell Reed — State Mental Health Advisory Council
 Ferol S. Menzel — State Board of Physical and Occupational Therapy Examiners
 Jean J. Linder — State Board of Physical and Occupational Therapy Examiners
 Sharon A. Simmons — State Board of Physical and Occupational Therapy Examiners
 Richard J. Davison — State Board of Physical and Occupational Therapy Examiners
 William G. Dirks — Board of Certification of Waterworks and Waste Waterworks Operators

Robert W. Tonn — Board of Certification of Waterworks and Waste Waterworks Operators
Dick G. Cook — Board of Certification of Waterworks and Waste Waterworks Operators
Ellen E. Steele — State Board of Psychology Examiners

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 20, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Adopted subcommittee rules; Catherine Williams, Deputy Commissioner, and other members of the Department of Social Services presented an update on the Governor's Economy Committee recommendations.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 20, 1981, 9:25 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Presentations on the 1980-81 budgets were made by the following: IPBN, Dave Bolender, Acting Director; Iowa Commission for the Blind, John Taylor, Director; Iowa College Aid Commission, Willis Ann Wolff, Director.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: January 20, 1981, 9:20 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Kudart and A. Miller.

Members Absent: Readinger.

Other Committee Business: Presentations from the Commission on the Status of Women; Governor's Commission on the Employment of the Handicapped, and the Spanish Speaking Peoples Commission.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 20, 1981, 9:15 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Budget hearings with the Iowa Development Commission, Energy Policy Council, Department of Environmental Quality and Geological Survey.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 20, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Gratias, Hulse and C. Miller.

Members Absent: Rush, Ranking Member.

Other Committee Business: Representatives of the Board of Accountancy and Iowa Beer and Liquor Control Council, appeared before the committee; discussion of their budgets followed.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 20, 1981, 9:35 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Craft, Brown and Vande Hoef.

Members Absent: none.

Other Committee Business: DSS directors discussed the 3.6 and 1.0% reductions of individual programs; LSB 892H 69, proposed committee on appropriations bill, was voted on; motion carried in the Senate, failed in the House.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 20, 1981, 9:25 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member and Wells.

Members Absent: Taylor (excused) and Lura.

Other Committee Business: Stanley McCausland, Director of General Services, appeared before the committee to discuss remodeling the Lucas Building and the deficit in the utility budget.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: January 20, 1981, 9:27 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Budget hearings on the Department of Public Safety and Iowa Crime Commission.

Adjourned: 10:58 a.m.

APPROPRIATIONS

Convened: January 21, 1981, 12:50 p.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Rush, Schwengels, Small, Van Gilst and Yenger (arrived 12:52 p.m.).

Members Absent: Ramsey, Slater and Waldstein.

Final Bill Action: Senate File 112, a bill for an act relating to the accounting for pay periods which overlap two fiscal years, effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Rush, Schwengels, Small, Van Gilst and Yenger. Nays, none. Absent or not voting, 3: Ramsey, Slater and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 113, a bill for an act abolishing the military service tax credit fund and providing for the payment of claims by counties for military service tax credits from the general fund of the state, to be effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Rush, Schwengels, Small, Van Gilst and Yenger. Nays, none. Absent or not voting, 3: Ramsey, Slater and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 114, a bill for an act to provide for the reversion of all unencumbered balances in the depreciation fund of the state vehicle dispatcher as of November 30, 1980 to the general fund of the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Rush, Schwengels and Yenger. Nays, 2: Small and Van Gilst. Absent or not voting, 3: Ramsey, Slater and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:30 p.m.

JUDICIARY

Convened: January 20, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray and Small.

Members Absent: Rush, Ranking Member; Ramsey (excused) and Taylor (excused).

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:20 p.m.

WAYS AND MEANS

Convened: January 20, 1981, 1:30 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura and Van Gilst.

Members Absent: Palmer, Priebe, Rush, Ramsey (excused) and Taylor (excused).

Other Committee Business: Assigned bills to subcommittees; received report from Department of Revenue.

Adjourned: 2:05 p.m.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to standing committees for investigation on January 21, 1981:

William J. Bestmann—Director of Iowa Development Commission—Commerce Committee

Thomas H. Huston—State Superintendent of Banking—Commerce Committee

CALVIN O. HULTMAN, Chairperson

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 58, the following Senators were appointed to subcommittees of standing committees:

COMMERCE: As Director of the Iowa Development Commission:

WILLIAM J. BESTMANN
Jensen, Chairperson
Craft
Husak

COMMERCE: As State Superintendent of Banking:

THOMAS H. HUSTON
DeKoster, Chairperson
Priebe
Comito

ENERGY: As members of the Energy Policy Council:

JAMES E. HUYSER
Readinger, Chairperson
Rodgers
Yenger

SUZAN M. STEWART
 Bisenius, Chairperson
 Kudart
 Anderson

STATE GOVERNMENT: As a member of the Iowa Commission for the Blind:

RICHARD P. CRAWFORD, JR.
 Lura, Chairperson
 Schwengels
 Slater

STATE GOVERNMENT: As a member of the Iowa Housing Finance Authority:

EARL M. YODER
 Lura, Chairperson
 Schwengels
 Slater

STATE GOVERNMENT: As a member of the Professional and Occupational Regulation Commission:

E.J. (GENE) PAUL, Ph.D.
 Lura, Chairperson
 Schwengels
 Slater

TRANSPORTATION: As members of the Iowa Railway Finance Authority:

Mark A. Wampler, Charles Crawford, O.R. Woods, Fred E. McKim and William McGrath.

Jensen, Chairperson
 Nystrom
 Coleman

TRANSPORTATION: As members of the State Transportation Commission:

Barbara J. Dunn and Delmar Van Horn.

Drake, Chairperson
 Murray
 A. Miller

AMENDMENTS FILED

S—3009	S. F.	9	Berl E. Priebe
S—3010	S. C.R.	2	Calvin O. Hultman
			Lowell L. Junkins

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:10 p.m., until 9:00 a.m., Thursday, January 22, 1981.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 22, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend Leland Schmidt, pastor of the St. John's Lutheran Church, Honey Creek, Iowa, and the Trinity Lutheran Church, Persia, Iowa.

The Journal of Wednesday, January 21, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Cook, Des Moines, Iowa.

INTRODUCTION OF BILLS

Senate File 117, by Carr, a bill for an act providing an exemption from the state sales, service, and use tax on the purchase and rental of tangible personal property by a nonprofit organization which lends or rents the property to the general public for nonprofit purposes.

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

Senate File 118, by Holden and Taylor, a bill for an act to change the date of the regular school election from the second Tuesday in September of each year to the first Tuesday after the first Monday in November of each year, to adjust the terms of office of certain elective school officers accordingly and to provide a January 1 effective date.

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

Senate File 119, by Holden, a bill for an act relating to student loan defaults by public officers or employees.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:18 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF RESOLUTION

Senate Concurrent Resolution 4

Senator Hultman asked and received unanimous consent to take up the following resolution:

SENATE CONCURRENT RESOLUTION 4
By: Committee on Rules and Administration

1 *Whereas*, section two point eleven (2.11) of the Code
2 provides that "The compensation of chaplains, officers and
3 employees of the general assembly shall be fixed by joint
4 action of the house and senate by resolution at the opening
5 of each session, or as soon thereafter as conveniently can
6 be done.", *Now Therefore*,
7 *Be It Resolved by the Senate, the House Concurring*, That
8 the compensation for the following officers for the period
9 commencing January 12, 1981 and ending January 10, 1983, shall
10 be within the following ranges:
11 Secretary of the Senate and Chief
12 Clerk of the House \$21,294 to \$30,004
13 Assistant Secretary of the Senate and
14 Assistant Chief Clerk of the House . . \$16,250 to \$22,360
15 Within the indicated ranges the exact compensation shall be
16 set or adjusted for the senate officers by the senate rules
17 and administration committee and for the house officers by
18 the house administration committee. The committees shall
19 report the exact compensation assigned to each position on
20 the next legislative day, or, if such action is during the

- 21 interim, on the first day the senate or house shall convene.
 22 Any action by the senate or house to disapprove or amend the
 23 report shall be effective the day after the action.
 24 *Be It Further Resolved*, That the compensation of the
 25 employees of the sixty-ninth general assembly is set,
 26 effective from January 12, 1981, until January 10, 1983, in
 27 accordance with the following salary schedule:

Page 2

1	No. 7	No. 8	No. 9	No. 10	No. 11
2	6,884.80	7,196.80	7,550.40	7,841.60	8,216.00
3	3.31	3.46	3.63	3.77	3.95
4					
5	No. 12	No. 13	No. 14	No. 15	No. 16
6	8,611.20	8,985.60	9,422.40	9,838.40	10,254.40
7	4.14	4.32	4.53	4.73	4.93
8					
9	No. 17	No. 18	No. 19	No. 20	No. 21
10	10,712.00	11,148.80	11,627.20	12,147.20	12,729.60
11	5.15	5.36	5.59	5.84	6.12
12					
13	No. 22	No. 23	No. 24	No. 25	No. 26
14	13,395.20	14,102.40	14,747.20	15,371.20	16,016.00
15	6.44	6.78	7.09	7.39	7.70
16					
17	No. 27	No. 28	No. 29	No. 30	No. 31
18	16,681.60	17,430.40	18,179.20	18,928.00	19,676.80
19	8.02	8.38	8.74	9.10	9.46
20					
21	No. 32	No. 33	No. 34	No. 35	No. 36
22	20,592.00	21,507.20	22,568.00	23,670.40	24,793.60
23	9.90	10.34	10.85	11.38	11.92
24					
25	No. 37	No. 38	No. 39	No. 40	No. 41
26	26,000.00	27,248.00	28,579.20	30,014.40	31,532.80
27	12.50	13.10	13.74	14.43	15.16

- 28 In this schedule, each numbered block shall be the yearly
 29 and hourly compensation for the pay grade of the number heading
 30 the block. Within each grade there shall be seven steps
 31 numbered "1" through "7". In the above schedule the steps
 32 for all grades are determined in the following manner. Each
 33 numbered block is counted as the "1" step for that grade.
 34 The next higher block is counted as the "2" step; the next
 35 higher block is the "3" step; the next higher block is the

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- 1 "4" step; the next higher block is the "5" step; the next

2 higher block is the "6" step; the next higher block is the
3 "7" step.

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

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

15 Secretary of the Senate
16 Chief Clerk of the House
17 Assistant Secretary of the Senate
18 Assistant Chief Clerk of the House
19 Senate Legal Counsel
20 House Legal Counsel
21 Finance Clerk
22 All Administrative Assistants
23 All Research Analysts
24 All Secretaries to Senators and Clerks to Representatives
25 House Public Information Office Director
26 All Caucus Staff Directors

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

32 *Be It Further Resolved*, That in the event the salary
33 schedule for employees of the State of Iowa as promulgated
34 by the merit employment commission pursuant to section nineteen
35 A point nine (19A.9), subsection two (2), Code 1981, is revised

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

10 *Be It Further Resolved*, That the employees of the sixty-
11 ninth general assembly be placed in the following pay grades:

12

EMPLOYEES OF THE HOUSE	
13	Legal Counsel II Grade 33
15	Legal Counsel I Grade 29
16	Executive Secretary to Speaker Grade 23
17	Caucus Staff Director and/or
18	Leader's Administrative Assistant Grade 26 to Grade 31
19	Research Analyst Grade 24 to Grade 28
20	Executive Secretary to Chief Clerk Grade 23
21	Clerk to Chief Clerk Grade 15
22	Public Information Office Director Grade 26 to Grade 30
23	Assistant to Public Information
24	Office Director Grade 18
25	Supervisor of Clerks Grade 20
26	Journal Editor Grade 22 to Grade 24
27	Assistant Journal Editor Grade 18 to Grade 20
28	Composer Grade 16 to Grade 18
29	Finance Clerk Grade 22 to Grade 27
30	Assistant Finance Clerk Grade 17 to Grade 20
31	Recording Clerk Grade 20
32	Assistant Legal Counsel Grade 23
33	Assistant to the Legal Counsel and
34	Engrossing/Enrolling Clerk Grade 21
35	Assistant to the Legal Counsel Grade 21

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1	Chief Indexer Grade 19
2	Indexing Assistant Grade 17
3	Supply Clerk Grade 15
4	Swing Clerk Grade 15
5	Switchboard Operator Grade 13
6	Clerk I Grade 13
7	Clerk II Grade 15
8	Administrative Assistant I Grade 13
9	Administrative Assistant II Grade 15
10	Bill Clerk Grade 13
11	Assistant Bill Clerk Grade 12
12	File Clerk Grade 8 or minimum wage, whichever is greater
13	Postmaster Grade 10
14	Sergeant-at-Arms Grade 15
15	Assistant Sergeant-at-Arms Grade 13
16	Doorkeepers Grade 9
17	Elevator Operator Grade 8 or minimum wage, whichever is greater
18	Porter Grade 8 or minimum wage, whichever is greater
19	Cloakroom Attendant Grade 8 or minimum wage, whichever is greater
20	Pages Minimum Wage
21	Aide to Public Information Office
22	(80 hours a week maximum) Minimum Wage
23	Aide to the Chief Clerk \$4.00/hr.
24	

25 EMPLOYEES OF THE SENATE

26 Legal Counsel II Grade 33

27 Legal Counsel I Grade 29

28 Caucus Staff Director and/or

29 Leader's Administrative Assistant Grade 26 to Grade 31

30 Research Analyst Grade 24 to Grade 28

31 Executive Secretary to the Secretary Grade 24

32 Secretary to the Secretary of the Senate Grade 20

33 Journal Editor Grade 22 to Grade 24

34 Assistant Journal Editor Grade 18 to Grade 20

35 Compositor Grade 16 to Grade 18

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1 Assistant Legal Counsel Grade 23

2 Assistant to the Legal Counsel Grade 17

3 Finance Clerk Grade 22 to Grade 27

4 Assistant Finance Clerk Grade 17 to Grade 20

5 Recording Clerk Grade 20

6 Chief Indexer Grade 19

7 Indexing Assistant Grade 17

8 Records and Supply Clerk Grade 19

9 Switchboard Operator Grade 13

10 Secretary I Grade 13

11 Secretary II Grade 15

12 Administrative Assistant I Grade 13

13 Administrative Assistant II Grade 15

14 Bill Clerk Grade 13

15 Assistant Bill Clerk Grade 12

16 Postmaster Grade 10

17 Sergeant-at-Arms Grade 15

18 Assistant Sergeant-at-Arms Grade 13

19 Chief Doorkeeper Grade 10

20 Doorkeepers Grade 9

21 Porter Grade 8 or minimum wage, whichever is greater

22 Pages Minimum Wage

23

24

25 *Be It Further Resolved*, That there shall be four classes

26 of appointments as employees of the general assembly:

27 A "permanent full-time" or "permanent part-time" employee

28 is one who is employed the year around and eligible to receive

29 state benefits.

30 An "exempt full-time" employee is one who is employed for

31 the period of the sessions with extensions post-session and

32 pre-session as scheduled. This class is eligible to receive

33 state benefits with the cost of benefits to the state to be

34 paid by the employee when not on the payroll.

35 A "session-only" employee is one who is employed for only

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1 a portion of the year, usually the legislative session. This
 2 class is not eligible for state benefits, except IPERS.
 3 A "part-time" employee is one who is employed to work less
 4 than 40 hours per week. This class is not eligible for state
 5 benefits, except IPERS if eligible.

6 *Be It Further Resolved*, That the exact grade for each
 7 position to which a range of grades is assigned by this
 8 resolution shall be set or changed for senate employees by
 9 the senate rules and administration committee and for the
 10 house employees by the house administration committee. The
 11 committees shall base the assignment upon the following
 12 factors:

- 13 1. The extent of formal education required of the position;
 14 and,
- 15 2. The extent of the responsibilities to be assigned to
 16 the position; and,
- 17 3. The amount of supervision placed over the position;
 18 and,
- 19 4. The number of persons the position is assigned to
 20 supervise and skill and responsibilities of those positions
 21 supervised.

22 The committees shall report the exact grades assigned to
 23 each position on the next legislative day, or, if such action
 24 is during the interim, on the first day the senate or house
 25 shall convene. Any action by the senate or house to disapprove
 26 a report or a portion of a report shall be effective the day
 27 after the action.

28 *Be It Further Resolved*, That a senator may employ a Secre-
 29 tary I or Secretary II and each representative may employ
 30 a Clerk I or Clerk II who shall perform such clerical duties
 31 as the senator or representative shall designate under the
 32 administrative direction, as appropriate, of the secretary
 33 of the senate or the chief clerk of the house.

34 Each standing committee chairperson and each appropriations
 35 subcommittee chairperson shall designate a secretary or clerk

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1 of at least the Secretary II or Clerk II level to be the
 2 Secretary or Clerk to the Committee. Such Secretary or Clerk
 3 shall prepare committee minutes, committee reports, type
 4 committee correspondence, maintain committee records, and
 5 otherwise assist the committee. Such duties shall be performed
 6 in accordance with standards which shall be provided by the
 7 secretary of the senate and chief clerk of the house. The
 8 chairperson of a senate committee may designate any Secretary
 9 II to be the committee secretary. The chairperson of a house

10 committee may designate any Clerk II to be the committee
11 secretary. In making the designation, chairpersons shall
12 consider persons for possible designation as the secretary
13 or clerk to the committee in the following order:

14 First: The secretary or clerk to the chairperson.

15 Second: The secretary or clerk to the committee's vice-
16 chairperson.

17 Third: The secretary or clerk to any other member of the
18 committee.

19 Fourth: The secretary or clerk to any other member in
20 the same house as the committee.

21 A Secretary II and Clerk II is a person who has been
22 certified by Merit Employment as having passed a typing
23 performance examination of at least 40 words per minute, and
24 a stenographic performance examination of 80 words per minute
25 using either manual or machine dictation which will be
26 transcribed with 80% accuracy.

27 A Secretary I and Clerk I is a person who in the judgment
28 of the senator or representative employing such person
29 possesses the necessary skills to perform the duties such
30 senator or representative shall designate.

31 *Be It Further Resolved*, That as an alternative to each
32 senator and representative having a secretary, senators and
33 representatives may hire an administrative assistant I or
34 II as provided by this paragraph. Senators and representatives
35 may employ an assistant only if two or more senators or two

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1 or more representatives or two or more senators and
2 representatives agree to jointly employ a secretary or
3 secretaries and the assistant in a total number not greater
4 than the senators and representatives participating in the
5 joint hiring. Without an agreement between the hiring senators
6 or representatives to the contrary, the secretary or
7 secretaries and the assistant shall each devote their time
8 equally to each of the persons for whom they work.

9 An Administrative Assistant II is a person who has
10 participated in two years of education beyond high school
11 or the equivalent experience, demonstrates a comprehensive
12 knowledge of the legislative process and the capability of
13 properly using the English language in research papers.

14 An Administrative Assistant I is a person who in the
15 judgment of the senators or representatives employing such
16 person, possesses the necessary skills to perform the duties
17 such senators or representatives shall designate.

18 *Be It Further Resolved*, That a Legal Counsel II shall be
19 a person who has graduated from an accredited school of law
20 and is admitted to practice in Iowa as an Attorney and

21 Counselor at Law and possesses either a Masters of Law degree
22 or has at least two years of legal experience after admission
23 to practice.

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

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

31 *Be It Further Resolved*, That employees of the general
32 assembly shall be eligible for mobility within pay steps—
33 at the discretion of the chief clerk of the house and the
34 secretary of the senate, and subject to the approval of the
35 house committee on administration or the senate committee

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1 on rules and administration, as the case may be—in accord
2 with the following schedule:

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

5 (2) Progression from step "2" to "3", and step "3" to
6 "4", and step "4" to "5"—twelve months of actual employment.

7 (3) Progression from step "5" to "6" and step "6" to "7"
8 —twenty-four months of actual employment.

9 *Be It Further Resolved*, that in addition to the steps
10 provided in the preceding paragraph, that secretaries to
11 senators and clerks to representatives shall be eligible for
12 additional steps as provided in this paragraph. At the
13 discretion of the secretary of the senate and chief clerk
14 of the house and subject to the approval of the senate
15 committee on rules and administration or the house committee
16 on administration, as appropriate, secretaries and clerks
17 may be granted additional steps in accord with the following
18 schedule:

19 1. One additional step for a secretary or clerk to a
20 standing committee, ethics committee or appropriations
21 subcommittee, chairperson who is not the designated committee
22 secretary or clerk.

23 2. One additional step for a secretary or clerk to a vice-
24 chairperson or ranking member of a standing committee, or
25 clerk to the minority or majority caucus staffs.

26 3. Two additional steps for a designated secretary or
27 clerk to a standing or ethics committee or appropriations
28 subcommittee or assistant floor leader or speaker pro tempore
29 or president pro tempore, and one additional step for each
30 such position held beyond the first position.

31 4. Three additional steps for a secretary or clerk to

32 a majority or minority floor leader.
33 Except as provided in subparagraph three (3), steps may be
34 granted only under one of the subparagraphs and only once
35 within each subparagraph and shall not exceed three steps

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1 when combined.
2 *Be It Further Resolved*, That the entrance salary for
3 employees of the general assembly shall be at step 1 in the
4 grade of the position held. Such employee may be hired above
5 the entrance step if possessing outstanding and unusual
6 experience for the position, provided that the entrance is
7 not beyond step 3. Such employee who is hired above the
8 entrance step shall be mobile above that step in the same
9 period of time as other employees in that same step. An
10 officer or employee who is moved to another position may be
11 considered for partial or full credit for their experience
12 in the former position in determining the step in the new
13 grade.
14 The entry level for the position of research analyst shall
15 be grade 24, step 1, unless extraordinary conditions justify
16 increasing that entry level; however, that entry level may
17 not be increased beyond grade 26, step 1. A research analyst
18 must have shown knowledge of legislative rules and procedures
19 as well as the Code of Iowa to be considered at any grade
20 above a grade 24, step 1.
21 *Be It Further Resolved*, That a pay increase for employees
22 of one step within the pay grade for the position may be made
23 for exceptionally meritorious service in addition to step
24 increases provided for in this resolution, upon recommendation
25 of the secretary of the senate or chief clerk of the house
26 and the approval of the senate committee on rules and
27 administration or the house committee on administration.
28 Exceptionally meritorious service pay increases shall be
29 governed by the following:
30 a. The employee must have served in the position for at
31 least twelve months;
32 b. Written justification, setting forth in detail the
33 nature of the exceptionally meritorious service rendered,
34 must be submitted to the senate rules and administration
35 committee or house administration committee and approved in

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1 advance of granting the pay increase;
2 c. No more than one exceptionally meritorious service
3 pay increase may be granted in any twelve month period.
4 *Be It Further Resolved*, That the secretary of the senate

5 and chief clerk of the house shall receive applications for
6 employment, arrange for any necessary examinations, contact
7 references and make recommendations for hiring. The Senate
8 rules and administration committee and the house administration
9 committee shall both hire officers and employees for their
10 respective bodies and fill any vacancies which may occur,
11 to be effective at such time as they shall set. The committee
12 shall report the names of those it has hired for the positions
13 specified in this resolution or the filling of any vacancies
14 on the next legislative day or, if such action is during the
15 interim, on the first day the senate or house shall convene.
16 Any action by the senate or house to amend or disapprove a
17 report or a portion of a report shall be effective the day
18 after the action.

19 The chief clerk of the house shall submit to the house
20 committee or administration and the secretary of the senate
21 shall submit to the senate committee on rules and
22 administration the list of names, or amendments thereto, of
23 employee classifications and recommended pay step for each
24 officer and employee. Such list shall include recommendations
25 for the pay step for all employees. Each respective committee
26 shall approve or amend the list of recommended classifications
27 and pay steps and publish said list in the journal. The
28 secretary of the senate and the chief clerk of the house shall
29 set the period of employment of intermittent employees under
30 such direction as the senate rules and administration committee
31 and the house administration committee may provide.

32 *Be It Further Resolved*, That permanent employees of the
33 general assembly shall receive vacation allowances, sick
34 leave, health and accident insurance, life insurance, and
35 disability income insurance as are provided for full-time

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1 permanent state employees. The computations shall be
2 maintained by the finance clerks in each house and coordinated
3 with the state comptroller.

4 *Be It Further Resolved*, That should any employee have a
5 grievance concerning their compensation, hours of work,
6 performance of work, or other matter, the grievance shall
7 be resolved as provided in this paragraph or by procedures
8 determined by the senate rules and administration committee
9 or the house administration committee.

10 The grievance shall first be brought to the attention of
11 the secretary of the senate or chief clerk of the house.
12 The procedure may be informal and oral except that the
13 secretary or chief clerk shall give his or her final conclusion
14 in writing.

15 An employee may appeal in writing an adverse ruling of
16 the secretary or chief clerk to the Senate Rules and

17 Administration Committee or the House Administration Committee
18 which shall consider the grievance. The committee's
19 consideration shall be informal except that accurate minutes
20 shall be kept and the final conclusion shall be in writing.

21 Any employee having a grievance shall have access to all
22 relevant house or senate records, may have the assistance
23 of counsel, and, if the grievance involves a disciplinary
24 action, shall have a written statement of the grounds for
25 the disciplinary action.

26 *Be It Further Resolved*, That the compensation of chaplains
27 officiating at the opening of the daily sessions of the house
28 of representatives and the senate of the sixty-ninth general
29 assembly be fixed at ten (10) dollars for each house of the
30 general assembly, and that mileage for chaplains be fixed
31 at the rate of twenty (20) cents per mile to and from the
32 State Capitol. The secretary to the senator or representative
33 who is the chairman of the chaplain's committee shall be
34 granted one pay step in addition to the step for which that
35 secretary is otherwise qualified.

Senator Hultman moved the adoption of Senate Concurrent Resolution 4.

The motion prevailed by a voice vote and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Concurrent Resolution 4** be immediately messaged to the House.

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 January 22, 1981, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, a resolution relating to the release of the American hostages from Iran.

PAT H. HARPER, Chief Clerk

INTRODUCTION OF BILLS

Senate File 120, by Taylor, a bill for an act to provide that the costs of advertising cigarettes are not deductible business expenses for corporations.

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

Senate File 121, by Taylor, a bill for an act allowing a parent to file a petition to change the name of a minor child of the parent.

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

Senate File 122, by Committee on Transportation, a bill for an act relating to the operation and registration fees of motorcycles.

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

Senate File 123, by Holden, Priebe and Tieden, a bill for an act relating to the types and form of administrative rules to be promulgated, the rights of the public to participate in the rule-making process, and the powers of the governor, the administrative rules review committee, and the attorney general in reviewing that process.

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

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****SENATE JOINT RESOLUTION 1**

State Government
Lura, Chairperson
Drake
Slater

SENATE FILE 3

State Government
Schwengels, Chairperson
Briles
Gallagher

SENATE FILE 5

Human Resources
Yenger, Chairperson
Drake
Carr

SENATE FILE 7

State Government
Schwengels, Chairperson
Briles
Gallagher

SENATE FILE 14

Natural Resources
Kudart, Chairperson
Gentleman
Rodgers

SENATE FILE 19

Ways and Means
Lura, Chairperson
Craft
Van Gilst

SENATE FILE 21

Ways and Means
Craft, Chairperson
Hultman
Rush

SENATE JOINT RESOLUTION 2

State Government
Schwengels, Chairperson
Nystrom
Hutchins

SENATE FILE 4

State Government
Schwengels, Chairperson
Briles
Gallagher

SENATE FILE 6

State Government
Schwengels, Chairperson
Briles
Gallagher

SENATE FILE 8

Human Resources
Nystrom, Chairperson
Vande Hoef
A. Miller

SENATE FILE 18

Ways and Means
Readinger, Chairperson
Craft
Lura
Van Gilst
Rush

SENATE FILE 20

State Government
Schwengels, Chairperson
Briles
Gallagher

SENATE FILE 23

Ways and Means
Rush, Chairperson
Lura
Ramsey

SENATE FILE 24

Human Resources
 Gratius, Chairperson
 Hulse
 Coleman

SENATE FILE 28

State Government
 Slater, Chairperson
 Drake
 Briles

SENATE FILE 31

Ways and Means
 Holden, Chairperson
 Husak
 Ramsey

SENATE FILE 34

State Government
 Schwengels, Chairperson
 Briles
 Palmer

SENATE FILE 36

Ways and Means
 Holden, Chairperson
 Husak
 Ramsey

SENATE FILE 39

State Government
 Nystrom, Chairperson
 Hutchins
 Schwengels

SENATE FILE 41

State Government
 Slater, Chairperson
 Gentleman
 Briles

SENATE FILE 43

Commerce
 Holden, Chairperson
 DeKoster
 Husak

SENATE FILE 45

Judiciary

SENATE FILE 27

Judiciary
 Lura, Chairperson
 Murray
 Doyle

SENATE FILE 30

Ways and Means
 Van Gilst, Chairperson
 Ramsey
 Craft

SENATE FILE 32

Ways and Means
 Hester, Chairperson
 Taylor
 Priebe

SENATE FILE 35

Commerce
 DeKoster, Chairperson
 Comito
 Rush

SENATE FILE 38

State Government
 Schwengels, Chairperson
 Tieden
 Palmer

SENATE FILE 40

Ways and Means
 Craft, Chairperson
 Taylor
 Palmer

SENATE FILE 42

State Government
 Gentleman, Chairperson
 Tieden
 Palmer

SENATE FILE 44

Commerce
 Craft, Chairperson
 Jensen
 Deluhery

SENATE FILE 46

County Government

Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

Waldstein, Chairperson
Brown
Yenger

SENATE FILE 49

Judiciary
Ramsey, Chairperson
Carr
Kudart

SENATE FILE 51

Ways and Means
Craft, Chairperson
Rodgers
Taylor

SENATE FILE 52

Ways and Means
Rodgers, Chairperson
Hester
Ramsey

SENATE FILE 54

Judiciary
Kudart, Chairperson
Baugher
Small

SENATE FILE 56

Ways and Means
Ramsey, Chairperson
Rodgers
Hultman

SENATE FILE 57

Commerce
Craft, Chairperson
DeKoster
Deluhery

SENATE FILE 58

Commerce
Holden, Chairperson
Jensen
Deluhery

SENATE FILE 62

Ways and Means
Craft, Chairperson
Rodgers
Taylor

SENATE FILE 63

Ways and Means
Lura, Chairperson
Craft
Rush

SENATE FILE 64

Ways and Means
Holden, Chairperson
Husak
Ramsey

SENATE FILE 65

Judiciary
Carr, Chairperson
Coleman
Murray

SENATE FILE 66

Ways and Means
Ramsey, Chairperson
Priebe
Hultman

SENATE FILE 69

Human Resources
Gratias, Chairperson
C. Miller
Drake

SENATE FILE 71

Labor and Industrial Relations
Gratias, Chairperson
Hultman
Wells

SENATE FILE 73

Judiciary
Rush, Chairperson

SENATE FILE 75

Commerce
Holden, Chairperson

Baughner
Taylor

SENATE FILE 76

Ways and Means
Holden, Chairperson
Husak
Ramsey

SENATE FILE 78

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 81

Labor and Industrial Relations
Carney, Chairperson
Hulse
Kinley

SENATE FILE 84

Ways and Means
Van Gilst, Chairperson
Ramsey
Craft

SENATE FILE 94

Natural Resources
Tieden, Chairperson
Gentleman
Rodgers

SENATE FILE 100

Ways and Means
Lura, Chairperson
Craft
Rush

SSB 7

Appropriations
Tieden, Chairperson
Hultman
Rush

SSB 9

Appropriations
Carney, Chairperson
Schwengels

DeKoster
Husak

SENATE FILE 77

Natural Resources
Goodwin, Chairperson
Kudart
Gallagher

SENATE FILE 80

Judiciary
Doyle, Chairperson
Small
Taylor

SENATE FILE 83

Commerce
Jensen, Chairperson
Baughner
Rush

SENATE FILE 91

Ways and Means
Rodgers, Chairperson
Hester
Ramsey

SENATE FILE 95

Ways and Means
Priebe, Chairperson
Hultman
Ramsey

SSB 6

Appropriations
Ramsey, Chairperson
Baughner
Palmer

SSB 8

Judiciary
Small, Chairperson
Lura
Deluhery

SSB 10

Commerce
Holden, Chairperson
Jensen

Junkins

Priebe

SSB 11

Commerce
Holden, Chairperson
Jensen
Priebe

SSB 12

Judiciary
Kudart, Chairperson
Small
Deluhery

SSB 13

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SSB 14

Judiciary
Murray, Chairperson
Lura
Carr

SSB 15

Commerce
Jensen, Chairperson
Baugher
Deluhery

SSB 16

Education
Jensen, Chairperson
Anderson
Dreeszen

SSB 17

Education
Carney, Chairperson
Small
Wells

SSB 18

Education
DeKoster, Chairperson
Brown
Taylor

SSB 19

Education
Brown, Chairperson
Carney
Jensen

SSB 20

Education
Gratias, Chairperson
DeKoster
Wells

SSB 21

Education
Taylor, Chairperson
Anderson
Dreeszen

SSB 22

Education
Small, Chairperson
Carney
Gratias

SSB 23

Education
Jensen, Chairperson
Taylor
Brown

SSB 24

Education
DeKoster, Chairperson
Small
Anderson

SSB 25

Education
Carney, Chairperson
Gratias
Brown

SSB 26

Education
Taylor, Chairperson
Dreeszen
Anderson

SSB 27

Education
Small, Chairperson
Wells
Jensen

SSB 29

County Government
Priebe, Chairperson
Hester
Goodwin

SSB 31

County Government
Wells, Chairperson
Priebe
Goodwin

SSB 33

County Government
Brown, Chairperson
C. Miller
Vande Hoef

SSB 35

County Government
Hester, Chairperson
Vande Hoef
Priebe

SSB 37

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SSB 41

State Government
Drake, Chairperson
Schwengels
Nystrom
Slater
Carr

SSB 44

County Government
Briles, Chairperson
C. Miller

SSB 28

County Government
Goodwin, Chairperson
Wells
Vande Hoef

SSB 30

County Government
Yenger, Chairperson
Brown
C. Miller

SSB 32

County Government
C. Miller, Chairperson
Waldstein
Yenger

SSB 34

County Government
Priebe, Chairperson
Waldstein
Hester

SSB 36

County Government
Vande Hoef, Chairperson
Waldstein
C. Miller

SSB 40

State Government
Drake, Chairperson
Schwengels
Nystrom
Slater
Carr

SSB 42

State Government
Drake, Chairperson
Schwengels
Nystrom
Slater
Carr

SSB 45

Natural Resources
Tieden, Chairperson
Gentleman

Yenger

SSB 46

Natural Resources
Goodwin, Chairperson
Kudart
Gallagher

SSB 48

Natural Resources
Goodwin, Chairperson
Tieden
Rodgers

SSB 50

Judiciary
Rush, Chairperson
Kudart
Doyle

SSB 52

Judiciary
Taylor, Chairperson
Rush
Dreeszen

SSB 54

Judiciary
Murray, Chairperson
Rush
Doyle

SSB 57

Commerce
Holden, Chairperson
Jensen
Deluhery

Rodgers

SSB 47

County Government
C. Miller, Chairperson
Brown
Hester

SSB 49

Judiciary
Taylor, Chairperson
Coleman
Small

SSB 51

Judiciary
Kudart, Chairperson
Baughner
Coleman

SSB 53

Judiciary
Coleman, Chairperson
Ramsey
Deluhery

SSB 55

Judiciary
Kudart, Chairperson
Doyle
Lura

SSB 58

Commerce
Craft, Chairperson
Holden
Priebe

The following **Human Resources** standing subcommittees were appointed:

CORRECTIONS

Hulse, Chairperson
Carr
Slater

FAMILIES

Yenger, Chairperson
A. Miller
Coleman

MENTAL HEALTH

Gentleman, Chairperson
Vande Hoef
C. Miller

ELDERLY-JUVENILE

Vande Hoef, Chairperson
Nystrom
Gentleman

HEALTH

Gratias, Chairperson
C. Miller
Drake

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21 I report that in engrossing Senate Concurrent Resolution 4, the following technical correction was made:

1. Page 2, line 22, the number under No. 34 was changed from "\$20,568.00" to "\$22,568.00".

LINDA HOWARTH MACKAY
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 21, 1981, 9:15 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; Deluhery and DeKoster.

Members Absent: Gentleman.

Other Committee Business: Chuck Palmer, Director and Harold Templeman, Chief Assistant of the Department of Mental Health, presented the department's role in the Governor's Economy Committee recommendations; Pat Cavanaugh, Director of Administrative Services, presented a summary of the budget reduction plans for the Department of Social Services.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 21, 1981, 9:35 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Presentation on the 1980-81 budget was made by Dr. Robert Benton of the Department of Public Instruction.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: January 21, 1981, 9:15 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Kudart, A. Miller and Readinger.

Members Absent: none.

Other Committee Business: Projected budget discussion.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 21, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the State Conservation Commission.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 21, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: State Comptroller and Commerce Commission appeared before the committee.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 21, 1981, 9:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Catherine Williams appeared and gave an in-depth presentation on the DSS Economy Committee recommendations.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 21, 1981, 9:35 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Budget discussions by the Department of General Services and the Bureau of Labor.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: January 21, 1981, 9:30 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Presentations by the Department of Public Defense and Department of Transportation.

Adjourned: 11:35 a.m.

CITIES

Convened: January 21, 1981, 3:00 p.m.

Members Present: Readinger, Chairperson; A. Miller, Ranking Member; Carney, Holden, Kinley, Slater, Waldstein and Wells.

Members Absent: Comito, Vice Chairperson.

Other Committee Business: Bob Harpster from the League of Municipalities gave a presentation.

Adjourned: 3:35 p.m.

COMMERCE

Convened: January 21, 1981, 1:30 p.m.

Members Present: Holden, Chairperson, Baugher, Vice Chairperson; Deluhery, Ranking Member, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: none.

Other Committee Business: Assigned bills and gubernational appointments to subcommittees.

Adjourned: 1:45 p.m.

ENERGY

Convened: January 21, 1981, 1:35 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Briles (arrived 1:43 p.m.), Doyle, Kudart, Readinger, Rodgers and Yenger.

Members Absent: none.

Other Committee Business: Committee rules amended to correct quorum and simple majority number; subcommittee assignments; Dr. Ed Stanek, Director, Energy Policy Council, presented legislative proposals.

Adjourned: 2:15 p.m.

JUDICIARY

Convened: January 21, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson, Kudart, Vice Chairperson; Rush, Ranking Member, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:20 p.m.

NATURAL RESOURCES

Convened: January 21, 1981, 8:00 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Kudart, Tieden and Hutchins.

Members Absent: Gentleman (excused), Gallagher and Rodgers.

Other Committee Business: Organizational meeting; adopted committee rules; subcommittee assignments.

Adjourned: 8:50 a.m.

RULES AND ADMINISTRATION

Convened: January 22, 1981, 10:35 a.m.

Members Present: Hultman, Chairperson; Kinley, Ranking Member; Holden, Junkins and Ramsey.

Members Absent: Hulse, Vice Chairperson.

Final Bill Action: Senate Concurrent Resolution 4, a resolution providing for the compensation of officers for the Sixty-ninth General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hultman, Kinley, Holden, Junkins and Ramsey. Nays, none. Absent or not voting, 1: Hulse.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 10:45 a.m.

TRANSPORTATION

Convened: January 20, 1981, 1:35 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Comito, Doyle, Hutchins, A. Miller and Murray.

Members Absent: Nystrom.

Final Bill Action: Senate File 122, a bill for an act relating to the operation and registration fees of motorcycles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Drake, Jensen, Coleman, Bisenius, Comito, A. Miller and Murray. Nays, 2: Doyle and Hutchins. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Subcommittee assignments.

Adjourned: 2:20 p.m.

STUDY BILLS RECEIVED**S.S.B. 63 State Government**

To require that reports of induced terminations of pregnancies be filed with the state department of health.

S.S.B. 64 Judiciary

Relating to small claims actions, increasing the jurisdictional amount to \$2,500 and prohibiting representation by legal counsel where the amount in controversy, exclusive of interest and costs, is less than \$750.

S.S.B. 65 Natural Resources

Relating to the payment of drainage assessments by the state conservation commission.

S.S.B. 66 Natural Resources

Relating to negligent hunting or negligent discharge of firearms.

S.S.B. 67 Natural Resources

Relating to the reciprocity of certain fish and game licenses for nonresidents.

S.S.B. 68 Natural Resources

Relating to the permissive catch and size limits of fish.

S.S.B. 69 Natural Resources

Relating to trespass on private property and imposing a penalty.

S.S.B. 70 Natural Resources

Permitting the state conservation commission to determine the methods and instruments used in taking game, fish, and furbearing animals.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	107	Education
S. F.	108	Education
S. F.	109	Judiciary
S. F.	110	Appropriations
S. F.	111	Ways and Means
S. F.	115	Judiciary
S. F.	116	State Government

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 1:35 p.m., until 10:00 a.m., Monday, January 26, 1981.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 26, 1981

The Senate met in regular session at 10:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend John Riebhoff, pastor of the Trinity United Methodist Church, Fort Dodge, Iowa.

The Journal of Thursday, January 22, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Taylor and Gentleman for the day on request of Senator Hultman; Senator Palmer for the morning on request of Senator Hutchins.

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 January 22, 1981, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, a resolution providing for the compensation of officers and employees of the senate and house for the Sixty-ninth General Assembly.

PAT H. HARPER, Chief Clerk

INTRODUCTION OF BILLS

Senate File 124, by Gratias, a bill for an act providing for an additional one percent sales, services, and use tax for a period of one year.

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

Senate File 125, by Miller of Cerro Gordo, a bill for an act to provide a procedure for the determination of damages caused by a pipeline and subjecting persons to a civil penalty.

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

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

The Senate resumed session, President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senate File 112

On motion of Senator Baugher, Senate File 112, a bill for an act relating to the accounting for pay periods which overlap two fiscal years, effective upon publication, was taken up for consideration.

Senator Baugher offered amendment S—3011 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3011 was adopted by a voice vote.

Senator Holden withdrew amendment S—3013 filed by him from the floor to page 1 of the bill.

Senator Holden asked and received unanimous consent that action on amendment S—3012 filed by him from the floor to page 1 of the bill and **Senate File 112 be deferred.**

Senate File 113

On motion of Senator Tieden, Senate File 113, a bill for an act abolishing the military service tax credit fund and providing for the payment of claims by counties for military service tax credits from the general fund of the state, to be effective upon publication, was taken up for consideration.

Senator Hutchins offered amendment S—3015 filed by Senators Hutchins and Husak from the floor to page 2 of the bill and moved its adoption.

Amendment S—3015 was adopted by a voice vote.

Senator Hutchins offered amendment S—3016 filed by Senators Hutchins and Husak from the floor to page 4 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3016 be adopted?” (S.F. 113) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Deluhery
Doyle	Drake	Dreeszen	Gratias
Hester	Husak	Hutchins	Junkins
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Ramsey	Rodgers	Rush
Slater	Vande Hoef	Waldstein	Wells
Yenger			

Nays, 14:

Craft	DeKoster	Gallagher	Goodwin
Holden	Hulse	Hultman	Jensen
Kudart	Murray	Readinger	Schwengels
Small	Tieden		

Absent or not voting, 7:

Bisenius	Comito	Gentleman	Kinley
Palmer	Taylor	Van Gilst	

Amendment S—3016 was adopted.

Senator Tieden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 113) the vote was:

Ayes, 41:

Anderson	Baughner	Briles	Carney
Coleman	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher

Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Tieden	Vande Hoef	Waldstein	Wells
Yenger			

Nays, 2:

Brown Carr

Absent or not voting, 7:

Bisenius	Comito	Gentleman	Kinley
Palmer	Taylor	Van Gilst	

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

BUSINESS PENDING

Senate File 112

The Senate resumed consideration of Senate File 112 and amendment S—3012, previously deferred.

Senator Holden withdrew amendment S—3012, previously deferred.

Senator Holden offered amendment S—3017 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3017 was adopted by a voice vote.

Senator Baugher moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 112) the vote was:

Ayes, 40:

Anderson	Baugher	Briles	Carney
Coleman	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin
Gratias	Hester	Holden	Hulse

Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Tieden
Vande Hoef	Waldstein	Wells	Yenger

Nays, 3:

Brown	Carr	Craft
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Absent or not voting, 7:

Bisenius	Comito	Gentleman	Kinley
Palmer	Taylor	Van Gilst	

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 114

On motion of Senator Carney, Senate File 114, a bill for an act to provide for the reversion of all unencumbered balances in the depreciation fund of the state vehicle dispatcher as of November 30, 1980 to the general fund of the state, was taken up for consideration.

Senator Carney offered amendment S—3014 filed by Senators Carney and Murray from the floor to page 1 of the bill and moved its adoption.

Amendment S—3014 was adopted by a voice vote.

Senator Carney moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 114) the vote was:

Ayes, 34:

Anderson	Baughner	Briles	Carney
Coleman	Craft	DeKoster	Drake
Dreeszen	Gallagher	Goodwin	Gratias
Hester	Holden	Hulse	Hultman

Husak	Jensen	Kudart	Lura
Miller, A. V.	Miller, C.P.	Murray	Nystrom
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Tieden	Vande Hoef
Waldstein	Yenger		

Nays, 9:

Brown	Carr	Deluhery	Doyle
Hutchins	Junkins	Slater	Small
Wells			

Absent or not voting, 7:

Bisenius	Comito	Gentleman	Kinley
Palmer	Taylor	Van Gilst	

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 2

On motion of Senator Hultman, Senate Concurrent Resolution 2, a resolution providing for Joint Rules for the Sixty-ninth General Assembly, filed on January 14, 1981, and found on pages 93-102 of the Senate Journal, was taken up for consideration.

Senator Hultman offered amendment S—3010 filed by Senators Hultman and Junkins on January 21, 1981, to page 12 of the resolution and moved its adoption.

Amendment S—3010 was adopted by a voice vote.

Senator Hultman moved the adoption of Senate Concurrent Resolution 2, as amended, which motion prevailed by a voice vote.

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 January 26, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 7, a resolution providing for a joint convention on Thursday, January 29, 1981, at 10:00 a.m. and that Governor Ray be invited to deliver his budget message.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 7

By: Pope

- 1 *Be It Resolved by the House of Representatives, the*
- 2 *Senate Concurring,* That a joint convention of the two
- 3 houses of the Sixty-ninth General Assembly be held on
- 4 January 29, 1981, at 10:00 a.m.; and
- 5 *Be It Further Resolved,* That Governor Robert D. Ray
- 6 be invited to deliver his budget message at this joint
- 7 convention of the two houses of the General Assembly
- 8 and that the Speaker of the House of Representatives
- 9 and the President of the Senate be designated to deliver
- 10 the invitation to him.

Read first time and referred to the **committee on Rules and Administration** under Senate Rule 37.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:12 p.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad 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 January 26, 1981, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 1, a resolution providing for the superintendent of printing to mail to auditors and congressional delegation daily copies of legislative materials specifically requested by the offices.

PAT H. HARPER, Chief Clerk

APPENDIX

REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 4, the committee on rules and administration submits the following names of officers and employees of the Senate and their respective classifications, grades and steps:

OFFICERS

Secretary of the Senate	Linda Howarth Mackay	\$23,000.00
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EMPLOYEES

		Class	Grade	Step
Administrative				
Assistant Secretary	K. Marie Thayer	P-FT	\$22,555.60	
Secretary to the Secretary	Joyce Horner	S-O	20	6
Finance Clerk	Mary Ann Abbott	P-FT	27	7
Assistant Finance Clerk	Terry G. Pepper	P-FT	19	7
Records and Supply Clerk	Judy Rutledge	S-O	19	3
Journal				
Journal Editor	C.J. Kelly	P-FT	24	7
Assistant Journal Editor	Nancy Smith	P-FT	19	4
Compositor	Mary Buban	P-FT	17	5
Legal Counsel				
Legal Counsel	Lisa M. Thompson	P-FT	29	1
Assistant Legal Counsel	Cynthia A. Clingan	P-FT	23	6
Assistant to the Legal Counsel	Robin Lane	S-O	17	1
Majority Caucus				
Leaders Administrative Assistant	Marjorie Helkenn	P-FT	26	5
Caucus Staff Director	Rand M. Fisher	P-FT	30	3
Research Analyst	Susan E. Johnson	P-FT	26	2
Research Analyst	Barbara Leiser	P-FT	26	4
Research Analyst	Peter J. Coniglio	P-FT	26	1
Research Analyst	Jule Thorsen	P-FT	26	1
Minority Caucus				
Leaders Administrative Assistant	G. Kay Bolton	P-FT	31	5
Caucus Staff Director	William Maloney	P-FT	30	5
Research Analyst	Rebecca Roorda	P-FT	26	2
Research Analyst	Kathy Bryant	P-FT	26	2
Research Analyst	John M. Frew	P-FT	26	1
Research Analyst	Gregory S. Nichols	P-FT	26	1

Senate Secretaries

Senate Secretary	Sandra S. Aamoth	S-O	15	3
Senate Secretary	Ginger Brown	S-O	13	2
Senate Secretary	Jacquelyn Carney	S-O	15	4
Senate Secretary	Ellen M. Carver	S-O	15	2
Senate Secretary	Diane Collison	S-O	13	4
Senate Secretary	Paula Cox	S-O	15	4
Senate Secretary	Phyllis Den Hartog	S-O	15	5
Senate Secretary	Katie Doyle	S-O	13	6
Senate Secretary	Betty J. Dysart	S-O	15	3
Senate Secretary	Constance A. Eichhorn	S-O	15	6
Senate Secretary	Pamela K. Gutshall	S-O	13	2
Senate Secretary	Elsie Haun	S-O	15	8
Senate Secretary	Jeanne Heller	S-O	15	3
Senate Secretary	Nancy Henter	S-O	15	5
Senate Secretary	Joan L. Hester	S-O	13	2
Senate Secretary	Kathlyn Hillman	P-FT	15	6
Senate Secretary	JoAnn Hutchins	S-O	13	4
Senate Secretary	Brenda Jotzke	S-O	15	8
Senate Secretary	Marian B. Kempkes	S-O	13	1
Senate Secretary	Mary M. Kennedy	S-O	13	4
Senate Secretary	Bonnie King	S-O	15	7
Senate Secretary	Lori Knauss	S-O	13	2
Senate Secretary	Geraldine McCarthy	S-O	15	6
Senate Secretary	Jean McClatchey	S-O	15	7
Senate Secretary	Virginia M. Miller	S-O	15	4
Senate Secretary	Marilou Montieth	S-O	15	5
Senate Secretary	Marcella Nelson	S-O	15	8
Senate Secretary	Dorothy Nepstad	S-O	15	10
Senate Secretary	Martha J. Nichols	S-O	15	3
Senate Secretary	Sharlyn Pardubsky	S-O	15	5
Senate Secretary	Carole Peterson	S-O	15	2
Senate Secretary	Rosemary Randolph	S-O	15	5
Senate Secretary	Ruth Root	S-O	15	3
Senate Secretary	Doris Flo Saf	S-O	15	6
Senate Secretary	Jeanne Schmidt	S-O	15	5
Senate Secretary	Hazel Schroedel	S-O	15	7
Senate Secretary	Genevieve E. Snetselaar	S-O	15	8
Senate Secretary	Helen Stejskal	S-O	15	6
Senate Secretary	Ruth Strait	S-O	15	3
Senate Secretary	Margaret K. Thomas	S-O	13	3
Senate Secretary	Marjorie B. Thompson	S-O	15	4
Senate Secretary	Peggy Thomson	S-O	15	6
Senate Secretary	Sylvia Tow	S-O	15	8
Senate Secretary	Marjorie C. Waller	S-O	13	2
Senate Secretary	Mary Wilcox	S-O	15	7
Senate Secretary	Anita C. Winfough	S-O	15	1
Senate Secretary	Betty Wise	S-O	15	6

Administrative Assistants

Administrative Assistant	Jane Fowler	S-O	15	3
Administrative Assistant	Thomas L. Jones	S-O	15	1
Administrative Assistant	Richard Varn	S-O	15	1

Sergeant-at-Arms

Sergeant-at-Arms	Roy W. Nelson	S-O	15	1
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Assistant Sergeant-at-Arms	B.W. Rulon	S-O	13	5
Chief Doorkeeper	Ray J. Prosperi	S-O	10	3
Doorkeeper	Francis J. (Bud) Burns	S-O	9	2
Doorkeeper	Catherine L. DeHeck	S-O	9	2
Doorkeeper	Jack Levine	S-O	9	1
Doorkeeper	Frank J. Murphy	S-O	9	2
Doorkeeper	Charles B. Murray	S-O	9	1

Services

Bill Clerk	Susan S. Hutchison	S-O	13	1
Assistant Bill Clerk	Faye Fritzjunker	S-O	12	1
Switchboard Operator	Betty Lawler	S-O	13	3
Switchboard Operator	Betty Schwengels	S-O	13	4
Postmaster	Kermit Haun	S-O	10	2
Porter	James M. Sullivan	S-O	8	7

Technical

Recording Clerk	Elizabeth Ligouri	S-O	20	6
Chief Indexer	Maxine E. Gunton	P-FT	19	7
Indexing Assistant	Caryll Wilbur	P-FT	17	7

Pages

Senate Page	Larry Adkins	S-O	Minimum Wage
Senate Page	Kathleen K. Bangert	S-O	Minimum Wage
Senate Page	Dana Barrer	S-O	Minimum Wage
Senate Page	Frida J. Eklund	S-O	Minimum Wage
Senate Page	Debra J. Fors	S-O	Minimum Wage
Senate Page	Julie Hansen	S-O	Minimum Wage
Senate Page	Denise Hudgins	S-O	Minimum Wage
Senate Page	Sarah Kleaveland	S-O	Minimum Wage
Senate Page	Lisa Rae Lenz	S-O	Minimum Wage
Senate Page	Laura McLearn	S-O	Minimum Wage
Senate Page	Jason Norton	S-O	Minimum Wage
Senate Page	Kim Ruggeberg	S-O	Minimum Wage
Senate Page	Becki J. Spees	S-O	Minimum Wage
Senate Page	Kevin J. Vaughn	S-O	Minimum Wage

CALVIN O. HULTMAN, Chairperson

COMMUNICATIONS

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

COMMISSION ON THE AGING

A report of the Commission on the Aging regarding the status of the Elderly Care Program, required under the Iowa Administrative Code. Copies are available upon request.

DEPARTMENT OF TRANSPORTATION

A copy of the annual report of the Department of Transportation for the period July 1, 1979 to July 1, 1980, in accordance with Section 310.36, Code 1980.

COMMISSION ON THE STATUS OF WOMEN

A copy of the annual report of the Iowa Commission on the Status of Women, pursuant to Section 601.8, Code 1979. Additional copies are available from the Commission.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 113 passed the Senate on January 26, 1981.

JOHN S. MURRAY

BILLS ASSIGNED TO COMMITTEE

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

S. F.	117	Ways and Means
S. F.	118	Education
S. F.	119	State Government
S. F.	120	Ways and Means
S. F.	121	Judiciary
S. F.	123	State Government

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 22, 1981, 9:15 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; Deluhery and DeKoster.

Members Absent: Gentleman.

Other Committee Business: Jack Dack, Commandant Veteran's Home, Chuck Palmer and Harold Templeman of Mental Health Resources, each presented his department's part in the budget adjustments.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 22, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Presentation of 1980—81 budget for Board of Regents was made by Mary Louise Peterson, Board President and Wayne Richey, Executive Secretary for the Board.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 22, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with Iowa Natural Resources Council and Department of Agriculture.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 22, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias and C. Miller.

Members Absent: Hulse (excused).

Other Committee Business: The State Auditor, Insurance Commission and Department of Revenue appeared before the committee.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 22, 1981, 9:35 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: The following programs were reviewed by the Department of Social Services personnel; Remedial Eye, Child Care Assistance, ADC and Unemployed Parent.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 22, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Wells and Lura (arrived 10:05 a.m.).

Members Absent: Taylor (excused).

Other Committee Business: Budget reduction briefings by OPP, State Library and Attorney General's Office.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: January 22, 1981, 9:30 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake (arrived 10:45 a.m.) and Holden (arrived 10:05 a.m.).

Members Absent: none.

Other Committee Business: Recommendation that the activities of the Iowa Crime Commission be combined with the Department of Public Safety in accordance with Recommendation No. 330 of the Governor's Economy Committee; recommendation that the FY '81 budget of Disaster Services Division of the Department of Public Defense be reduced by the sum of \$20,000.

Adjourned: 11:40 a.m.

EDUCATION

Convened: January 22, 1981, 3:00 p.m.

Members Present: Gratiyas, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:30 p.m.

EDUCATION

Convened: January 26, 1981, 1:35 p.m.

Members Present: Gratias, Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small and Wells.

Members Absent: Carney, Vice Chairperson (excused) and Taylor (excused).

Final Bill Action: Senate File 86, a bill for an act relating to the uses of unencumbered funds in the schoolhouse fund collected under the levy provided in section 297.5 prior to July 1, 1981.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3021.

Final Vote: Ayes, 8: Gratias, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small and Wells. Nays, none. Absent or not voting, 2: Carney and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Bills assigned to subcommittees.

Adjourned: 1:45 p.m.

RULES AND ADMINISTRATION

Convened: January 26, 1981, 1:35 p.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Holden, Junkins and Ramsey.

Members Absent: Kinley, Ranking Member.

Final Bill Action: House Concurrent Resolution 7, a resolution providing for a joint convention on Thursday, January 29, 1981, at 10:00 a.m. and that Governor Ray be invited to deliver his budget message.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hultman, Hulse, Junkins, Holden and Ramsey. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Pursuant to Senate Concurrent Resolution 4, approved schedule of officers and employees of the Senate and their respective classifications, grades and steps; approved the schedule of changes in length of service steps anticipated for the session.

Adjourned: 1:45 p.m.

STATE GOVERNMENT

Convened: January 22, 1981, 3:00 p.m.

Members Present: Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: Nystrom, Chairperson (excused); Drake, Gallagher and Gentleman.

Other Committee Business: Subcommittee assignments were made.

Adjourned: 3:15 p.m.

WAYS AND MEANS

Convened: January 22, 1981, 1:40 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Rush, Taylor and Van Gilst.

Members Absent: Ramsey.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:47 p.m.

STUDY BILLS RECEIVED

S.S.B. 71 Natural Resources

Prohibiting certain uses of licenses issued by the state conservation commission and providing a penalty.

S.S.B. 72 Ways and Means

Relating to the allocation of franchise tax revenues.

S.S.B. 73 Ways and Means

Relating to the penalty for failure to pay or remit ninety percent of tax for state motor vehicle fuel taxes, freight line and equipment car mileage taxes, income taxes, franchise taxes, inheritance and estate taxes, local hotel and motel taxes, and generation skipping transfer taxes effective January 1 following enactment for returns due on or after January 1 following enactment.

S.S.B. 74 Ways and Means

Relating to penalties for violations of the state withholding tax, use tax, and additional property tax relief for elderly and disabled laws.

S.S.B. 75 Ways and Means

Providing for the taxation of a lump sum distribution of an individual, estate or trust who has elected to have the distribution separately taxed under the Internal Revenue Code of 1954 and providing for a January 1 effective date.

S.S.B. 76 Ways and Means

Relating to the statute of limitations on assessment of the income and franchise taxes.

S.S.B. 77 Ways and Means

Relating to the audit and certification of claims for the personal property tax credit.

S.S.B. 78 Ways and Means

Relating to the enforcement of distress warrants issued by the director of revenue.

S.S.B. 79 Ways and Means

Relating to the definition of retail sale for purposes of the state sales, service and use tax.

S.S.B. 80 Ways and Means

Relating to the state sales, services and use tax by allowing retailers to provide their own tax exemption certificate, by altering the computation of the time the taxes have not been paid in computing the penalty, by requiring payments of use taxes to be applied first to accrued penalty and interest and by making corrective changes.

S.S.B. 81 Ways and Means

Authorizing the department of revenue to credit income and franchise tax refunds against the tax liability of the taxpayer.

S.S.B. 82 Ways and Means

Providing for the allocation and apportionment of capital gains and losses for purposes of computing the state corporate income and franchise taxes and making the provisions retroactive.

S.S.B. 83 Ways and Means

To remove the requirement that assessors itemize individual names and legal descriptions in their annual reports of exempt property to the department of revenue.

S.S.B. 84 State Government

Relating to retention of budget documents.

S.S.B. 85 State Government

To eliminate the requirement of publication of a synopsis of the annual report of insurance companies doing business in this state.

S.S.B. 86 State Government

Relating to procedures for construction, repair and improvement of public buildings.

S.S.B. 87 State Government

Relating to the fee collected for services performed, and certificates and copies of records issued within the department of health.

S.S.B. 88 Judiciary

To provide for notice of the possibilities of mechanic's liens being filed when real property is improved.

S.S.B. 89 Natural Resources

Relating to the authority of the peace officers of the conservation commission and partial guidelines for the rules of the commission.

S.S.B. 90 Natural Resources

Relating to the lands and waters under the jurisdiction of the conservation commission and the establishment of fee schedules by rule.

S.S.B. 91 Natural Resources

Relating to financial responsibility for boating accidents and providing a penalty.

S.S.B. 92 Natural Resources

Relating to the registration and operation of snowmobiles.

S.S.B. 93 Natural Resources

Relating to the scheduled fines for violations of certain boating and snowmobile statutes and violations of certain statutes regarding the use of state parks and preserves and providing the scheduled fines for excessive speed violations in state parks and preserves in the state park and preserves provision.

S.S.B. 94 State Government

To allow the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits.

S.S.B. 95 State Government

Relating to the office of appellate defender.

S.S.B. 96 State Government

Relating to the penalty to be imposed on licensees who tender the department of beer and liquor control more than three insufficient funds checks within a twelve-month period for the purchase of alcoholic beverages.

S.S.B. 97 State Government

Relating to the number of times a liquor control license or a beer permit can be transferred within a twelve-month period.

S.S.B. 98 State Government

Relating to the operations of the citizens' aide office.

S.S.B. 99 State Government

Relating to the provision and administration of various veterans benefits.

S.S.B. 100 State Government

Relating to the state board of engineering examiners.

S.S.B. 101 State Government

Relating to conditions for issuance of liquor control licenses and retail beer permits.

S.S.B. 102 State Government

Permitting the Iowa beer and liquor control department to purchase real property and construct state liquor stores on the real property.

S.S.B. 103 State Government

Relating to interest earned on funds in the life membership trust fund of the state historical department.

S.S.B. 104 State Government

Relating to the sale of alcoholic beverages or beer on credit.

S.S.B. 105 State Government

Making surety companies which issue bonds liable when beer and liquor licensees fail to redeem insufficient checks tendered for purchase of alcoholic beverages.

S.S.B. 106 State Government

Relating to substance abuse programs by making changes in facility licensing and auditing requirements by abolishing the state advisory council on substance abuse, by allowing contracts for education and prevention services, by authorizing inspections and providing penalties.

S.S.B. 107 Natural Resources

Relating to taxidermy and subjecting violators to a penalty.

S.S.B. 108 State Government

To forbid the issuance of liquor control licenses or beer permits to a school which provides teaching for any grade from kindergarten through twelve.

S.S.B. 109 State Government

Relating to special permits issued pursuant to section 123.29.

S.S.B. 110 State Government

To establish and license special liquor retailers and special retail liquor establishments and make corresponding amendments to the Code, including penalty provisions.

S.S.B. 111 State Government

Relating to licensing manufacturers of fuel alcohol.

S.S.B. 112 State Government

Repealing the authorization of fieldmen, auditors and other employees of the department of revenue to administer oaths in matters pertaining to the income and sales taxes.

S.S.B. 113 State Government

Relating to the licensing and examining boards, including the board of medical examiners, and providing a penalty.

S.S.B. 114 State Government

Relating to the right of employees of the department of revenue to engage in the preparation of tax returns.

S.S.B. 115 State Government

Relating to fourteen-day liquor licenses and beer permits.

S.S.B. 116 State Government

Providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review or modification.

S.S.B. 117 State Government

Limiting the percent of the contract price of a public improvement which may be retained by a public corporation to pay claims for materials furnished and labor performed on public improvements.

S.S.B. 118 State Government

To replace the salaries of the members of the Iowa beer and liquor control council with a per diem compensation.

S.S.B. 119 State Government

Transferring the governor's highway safety program to the state department of public safety.

S.S.B. 120 State Government

Establishing the rate of interest payable on delinquent taxes owed to the state.

S.S.B. 121 Judiciary

Exempting certain security information of adult correctional institutions from public disclosure.

S.S.B. 122 Judiciary

Relating to review by the board of parole of certain offenders.

S.S.B. 123 Judiciary

Relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services.

S.S.B. 124 Judiciary

Relating to the use of chapters 663 and 663A of the Code by persons convicted of, or sentences for, a public offense.

S.S.B. 125 Judiciary

Relating to a system for settlement of personal property claims of inmates in certain adult correctional facilities.

S.S.B. 126 Judiciary

Relating to pre-trial and post-trial criminal procedures.

S.S.B. 127 Judiciary

Requiring the director of the division of adult corrections to provide available habilitative services and treatment to imprisoned mentally retarded offenders.

S.S.B. 128 Judiciary

Relating to the administration of judicial district departments of correctional services.

S.S.B. 129 Judiciary

To authorize the director of the division of adult corrections of the department of social services to implement an inmate employment program.

S.S.B. 130 Judiciary

Relating to the annual inspection of the state adult penal and correctional facilities and the state juvenile facilities.

S.S.B. 131 Judiciary

Repealing a requirement of transference of certain male prisoners.

S.S.B. 132 Judiciary

Providing for the compensation of innocent victims of criminal acts, and providing penalties for fraudulent claims.

S.S.B. 133 County Government

Relating to the examination and appointment of deputy assessors.

S.S.B. 134 Commerce

Relating to the powers of banks with respect to the compensation of directors, permissible accounts and related charges, places of doing business, permissible investments, loan charges, contracts for data processing services, and cash reserve requirements.

ANNOUNCEMENTS BY THE PRESIDENT OF THE SENATE

President Branstad announced the following appointments to statutory committees:

LEGISLATIVE COUNCIL (Section 2.41, Code of 1981)

Lieutenant Governor Terry E. Branstad, *ex officio*
Senator Richard Ramsey, President Pro Tempore
Senator Calvin O. Hultman, Senate Majority Leader
Senator Lowell L. Junkins, Senate Minority Leader
Senator John S. Murray, Chairperson of the Senate
Appropriations Committee
Senator William D. Palmer, Minority Ranking Member of the Senate
Appropriations Committee
Senator Gary L. Baugher
Senator James E. Briles
Senator Ray Taylor
Senator C. Joseph Coleman
Senator C.W. Bill Hutchins

LEGISLATIVE FISCAL COMMITTEE (Section 2.45, Code of 1981)

Senator John S. Murray, Chairperson of the Senate Appropriations Committee
 Senator William D. Palmer, Minority Ranking Member of the Senate
 Appropriations Committee
 Senator Rolf V. Craft, Ways and Means Chairperson
 Senator Bob Rush, Ways and Means Minority Member
 Senator Gary L. Baugher, (Appointive member from the Legislative Council)

INTERSTATE COOPERATIVE COMMISSION (Section 28B.1, Code of 1981)

Senators Calvin O. Hultman, Jack W. Hester, A.R. (Bud) Kudart, Arthur A. Small, Jr., and Senator Berl E. Priebe.

These Senators are appointed to a term commencing February 1, 1981 and ending January 31, 1983.

AMENDMENTS FILED

S-3011	S. F.	112	Gary L. Baugher
S-3012	S. F.	112	Edgar H. Holden
S-3013	S. F.	112	Edgar H. Holden
S-3014	S. F.	114	Clarence S. Carney John S. Murray
S-3015	S. F.	113	C.W. Bill Hutchins Emil J. Husak
S-3016	S. F.	113	C.W. Bill Hutchins Emil J. Husak
S-3017	S. F.	112	Edgar H. Holden
S-3018	S. F.	122	Donald V. Doyle
S-3019	S. F.	122	Edgar H. Holden
S-3020	S. F.	25	Charles P. Miller Richard Vande Hoef Richard Comito
S-3021	S. F.	86	Education Committee
S-3022	S. F.	122	John S. Murray

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:03 p.m., until 9:00 a.m., Tuesday, January 27, 1981.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 27, 1981

The Senate met in regular session at 9:07 a.m., President Branstad presiding.

Prayer was offered by the Reverend David Lack, pastor of the St. Paul Lutheran Church, Davenport, Iowa.

The Journal of Monday, January 26, 1981, was approved.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

January 22, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Phyllis L. Henderson, West Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Barber Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for an unexpired term ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

January 23, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Charlotte Mohr, Eldridge, Scott County, Iowa, for appointment as a member of the Iowa Natural Resources Council pursuant to Section 455A.4, 1981 Code of Iowa, for an unexpired term ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

January 26, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Marlene Donovan, Estherville, Emmet County, Iowa, for appointment as a member of the State Board of Cosmetology Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for an unexpired term ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration.**

MOTION TO RECONSIDER ADOPTED

Senator Murray called up the motion to reconsider Senate File 113 filed by him on January 26, 1981, found on page 215 of the Senate Journal, moved its adoption and requested a record roll call.

On the question "Shall the motion to reconsider be adopted?" (S.F. 113) the vote was:

Ayes, 40:

Anderson	Baughner	Briles	Brown
Carney	Coleman	Comito	Craft
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Goodwin	Gratias	Hester

Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kudart
Lura	Miller, A. V.	Miller, C. P.	Murray
Priebe	Ramsey	Readinger	Rush
Schwengels	Slater	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 1:

Tieden

Absent or not voting, 9:

Bisenius	Carr	DeKoster	Gentleman
Kinley	Nystrom	Palmer	Rodgers
Small			

The motion prevailed.

Senator Hultman moved to reconsider the vote by which Senate File 113 went to its last reading, which motion prevailed by a voice vote.

Senate File 113

On motion of Senator Tieden, Senate File 113, a bill for an act abolishing the military service tax credit fund and providing for the payment of claims by counties for military service tax credits from the general fund of the state, to be effective upon publication, was taken up for reconsideration.

Senator Hutchins moved to reconsider the vote by which amendment S—3015 was adopted by the Senate on January 26, 1981, which motion prevailed by a voice vote and amendment S—3015 was taken up for reconsideration.

Senator Hutchins asked and received unanimous consent to withdraw amendment S—3015.

Senator Hutchins moved to reconsider the vote by which amendment S—3016 was adopted by the Senate on January 26, 1981, which motion prevailed by a voice vote and amendment S—3016 was taken up for reconsideration.

Senator Hutchins asked and received unanimous consent to withdraw amendment S—3016.

Senator Hutchins offered amendment S—3023 filed by Senators Husak, Hutchins and Murray from the floor to strike everything after the enacting clause and the to title page of the bill and moved its adoption.

Amendment S—3023 was adopted by a voice vote.

Senator Tieden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 113) the vote was:

Ayes, 38:

Anderson	Baughner	Bisenius	Briles
Carney	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Murray
Priebe	Ramsey	Readinger	Schwengels
Slater	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 1:

Brown

Absent or not voting, 11:

Carr	Gentleman	Kinley	Miller, C.P.
Nystrom	Palmer	Rodgers	Rush
Small	Taylor	Yenger	

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

CONSIDERATION OF RESOLUTION

Senator Hultman asked and received unanimous consent to take up for consideration House Concurrent Resolution 7.

House Concurrent Resolution 7

On motion of Senator Hultman, House Concurrent Resolution 7, a

resolution providing for a joint convention on Thursday, January 29, 1981, at 10:00 a.m., and that Governor Ray be invited to deliver his budget message, and found on page 211 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 7, which motion prevailed by a voice vote.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:30 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 126, by Rush and Carr, a bill for an act relating to the number of members to be appointed and elected to the state judicial nominating commission and providing a January 1 effective date.

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

Senate File 127, by Holden, a bill for an act to exempt certain persons over age sixty-five from the requirements of continuing professional and occupational education.

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

Senate File 128, by Taylor, a bill for an act relating to the permissible use of proceeds of property sold by a county board of hospital trustees.

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

Senate File 129, by Baugher, a bill for an act to provide an additional property tax credit for persons sixty-five years of age or older with an annual income of ten thousand dollars or less, providing for the payment of the credit from the homestead tax credit fund, with a January 1 effective date.

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

Senate File 130, by Committee on County Government, a bill for an act to implement home rule for counties by supplementing and

recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties.

Read first time and placed on calendar.

APPENDIX

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 4, the Committee on Rules and Administration submits the following changes in steps:

Senate Secretary	Phyllis Den Hartog	Step 4 to Step 5 Effective 1/12/81
Doorkeeper	Francis Burns	Step 2 to Step 3 Effective 2/13/81
Bill Clerk	Susan Hutchison	Step 1 to Step 2 Effective 2/13/81
Sergeant-at-Arms	Roy Nelson	Step 1 to Step 2 Effective 3/13/81
Doorkeeper	Catherine DeHeck	Step 2 to Step 3 Effective 3/27/81
Leaders Administrative Assistant	Marjorie Helkenn	Step 5 to Step 6 Effective 3/27/81
Research Analyst	Rebecca Roorda	Step 2 to Step 3 Effective 3/27/81
Senate Secretary	Sondra Aamoth	Step 3 to Step 4 Effective 3/27/81
Senate Secretary	Jacquelyn Carney	Step 4 to Step 5 Effective 3/27/81
Senate Secretary	Ellen Carver	Step 2 to Step 3 Effective 3/27/81
Senate Secretary	Nancy Henter	Step 5 to Step 6 Effective 3/27/81
Senate Secretary	Joan Hester	Step 2 to Step 3 Effective 3/27/81
Senate Secretary	JoAnn Hutchins	Step 4 to Step 5 Effective 3/27/81
Senate Secretary	Mary M. Kennedy	Step 4 to Step 5 Effective 3/27/81
Senate Secretary	Martha Nichols	Step 3 to Step 4 Effective 3/27/81
Senate Secretary	Carole Peterson	Step 2 to Step 3 Effective 3/27/81
Senate Secretary	Margaret Thomas	Step 3 to Step 4 Effective 3/27/81
Doorkeeper	Charles Murray	Step 1 to Step 2 Effective 4/10/81

Records & Supply Clerk

Judith Rutledge

Step 3 to Step 4
Effective 5/8/81

CALVIN O. HULTMAN, Chairperson

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: January 26, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: Craft (excused).

Other Committee Business: Assigned bills to subcommittees; committee interviewed Governor's appointee Thomas Huston, Superintendent of State Banking.

Adjourned: 4:00 p.m.

COUNTY GOVERNMENT

Convened: January 20, 1981, 3:00 p.m.

Members Present: Briles, Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Vande Hoef and Yenger.

Members Absent: Waldstein, Vice Chairperson and Priebe.

Final Bill Action: Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Vande Hoef and Yenger. Nays, none. Absent or not voting, 2: Waldstein and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:10 p.m.

JUDICIARY

Convened: January 27, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor.

Members Absent: none.

Final Bill Action: Senate File 80, a bill for an act relating to the administration of judicial district departments of correctional services.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:45 p.m.

WAYS AND MEANS

Convened: January 26, 1981, 1:35 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Husak, Junkins, Lura, Palmer, Priebe, Ramsey, Rush and Van Gilst.

Members Absent: Hultman and Taylor.

Other Committee Business: Assigned study bills, Senate Files 111, 117 and 120 to subcommittees.

Adjourned: 1:40 p.m.

STUDY BILLS RECEIVED

S.S.B. 135 Agriculture

Concurrent resolution to request the governor to negotiate on behalf of the state of Iowa with the states of Nebraska, Missouri, and Kansas a compact for the purpose of promoting barge traffic on the Missouri River below Sioux City, Iowa.

S.S.B. 136 Ways and Means

Relating to the computation of interest on overpayments made under the individual and corporate income and franchise taxes.

S.S.B. 137 Ways and Means

Updating references to the internal revenue code for purposes of computing individual and corporate income taxes and franchise taxes and making certain provisions retroactive.

S.S.B. 138 Transportation

To allow monthly refunding of motor vehicle registration reciprocity fees.

S.S.B. 139 Commerce

Relating to properties that are exempt from judicial process.

S.S.B. 140 Transportation

Relating to the gross weight and operation of certain multi-axle vehicles and combinations of vehicles subject to penalties provided by law.

S.S.B. 141 Judiciary

To provide for protection of abused adults by enactment of a comprehensive Elderly Abuse Law.

S.S.B. 142 Judiciary

Establishing a statute of limitations for actions for damages founded on violations of federal or state constitutional rights, including provisions that are retroactive with respect to causes of action accruing prior to the effective date of this Act.

S.S.B. 143 Judiciary

Relating to the use of polygraph examinations as a condition of employment.

S.S.B. 144 Natural Resources

Relating to the protection of wild mammals, fish, birds, reptiles, and amphibians by the state conservation commission.

S.S.B. 145 Cities

Relating to the uniform application of veterans' preference in public employment.

S.S.B. 146 Cities

Exempting cities from the construction and maintenance levy for county secondary road construction.

S.S.B. 147 Cities

To create an advisory council on intergovernmental relations and to specify its powers and duties.

S.S.B. 148 Cities

Relating to state mandates imposed on political subdivisions of the state.

S.S.B. 149 Cities

Clarifying the city code in regard to responsibility for public places of cities, railroads, and abutting property owners.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	124	Ways and Means
S. F.	125	Agriculture

REPORT OF INVESTIGATING COMMITTEE

Pursuant to Senate Rule 58, the Committee on Commerce assigned to investigate the character and qualifications of Thomas H. Huston of Columbus Junction, Louisa County, Iowa, for reappointment as Superintendent of Banking under the provisions of Section 524.201, 1979 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON COMMERCE
EDGAR H. HOLDEN, Chairperson

AMENDMENTS FILED

S-3023	S. F.	113	Emil J. Husak C.W. Bill Hutchins John S. Murray
S-3024	S. F.	122	Donald V. Doyle Richard F. Drake
S-3025	S. F.	122	Donald V. Doyle John S. Murray

ADJOURNMENT

On motion of Senator Murray, the Senate adjourned at 4:06 p.m., until 9:00 a.m., Wednesday, January 28, 1981.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 28, 1981

The Senate met in regular session at 9:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Harold Ward, pastor of the St. Paul Lutheran Church, Monona, Iowa.

The Journal of Tuesday, January 27, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Boeke, Osage, Iowa.

INTRODUCTION OF BILLS

Senate File 131, by Holden, a bill for an act to repeal requirements for licensing of barbers and provide for sanitary inspections at establishments where barbering is practiced.

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

Senate File 132, by Priebe, Brown, Gallagher and Husak, a bill for an act to reimburse counties for expenses incurred from the maintenance and operation of the district courts, to make an appropriation, and to establish a delayed effective date.

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

Senate File 133, by Priebe, a bill for an act to provide for direct election of members of area education agency boards of directors.

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

WITHDRAWN

Senator Craft asked and received unanimous consent that **Senate File 52** be withdrawn from further consideration of the Senate.

RECESS

On motion of Senator Holden, the Senate recessed at 9:20 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 134, by Rush, a bill for an act relating to the penalties for criminal assault.

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

Senate File 135, by Rodgers, a bill for an act to provide payment for the accrued, unused sick leave of certain retired state employees or their beneficiaries and to make an appropriation.

Read first time and referred to the committee on **Appropriations under Senate Rule 37**.

Senate File 136, by Brown, a bill for an act relating to the military service tax exemption by defining active duty and extending the exemption to persons serving between the Korean and Vietnam Conflicts and on active duty who otherwise qualify for the exemption.

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

Senate File 137, by Brown, a bill for an act eliminating the requirement that nonprofit public utilities file an annual report with the department of revenue.

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

Senate File 138, by Taylor, a bill for an act relating to the use of force, violence, or threats to impede a person from engaging in lawful employment or educational pursuit and providing penalties.

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

Senate File 139, by Taylor, a bill for an act repealing the state inheritance tax and making coordinating amendments.

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

Senate File 140, by Gallagher, a bill for an act relating to the elimination of state-owned liquor stores and sales by providing for the wholesale and retail sale of liquor by private licensees, the taxes thereon, the sale and distribution of excise tax stamps by the

department of revenue, penalties for violations of liquor and beer laws, and administrative procedures, with a delayed effective date.

Read first time and passed on file.

INTRODUCTION OF RESOLUTIONS

SENATE RESOLUTION 4

By: Committee on Rules and Administration

1 *Whereas*, section two point twelve (2.12) of the Code
 2 provides that "There is hereby appropriated out of any funds
 3 in the state treasury not otherwise appropriated a sum
 4 sufficient to pay for . . . expenses of the general assembly";
 5 and
 6 *Whereas*, Frank J. Stork was appointed secretary of the
 7 senate December 11, 1978, for a term ending May 8, 1980; *Now*
 8 *Therefore*,
 9 *Be It Resolved by the Senate*, That Frank J. Stork be paid
 10 as special consultant to the senate for portions of January
 11 12, 13, and 26, 1981, at an hourly rate of pay of eleven
 12 dollars fifty-seven cents (\$11.57). The aggregate hours
 13 worked were eighteen (18), making the total remuneration due
 14 two hundred eight dollars and twenty-six cents (\$208.26).

Read first time and placed on calendar.

SENATE RESOLUTION 5

By: Gentleman, Hultman, Junkins, Anderson, Baugher, Bisenius, Briles, Brown, Carney, Carr, Coleman, Comito, Craft, DeKoster, Deluhery, Doyle, Drake, Dreeszen, Gallagher, Goodwin, Gratias, Hester, Holden, Hulse, Husak, Hutchins, Jensen, Kinley, Kudart, Lura, Miller of Cerro Gordo, Miller of Des Moines, Murray, Nystrom, Palmer, Priebe, Ramsey, Readinger, Rodgers, Rush, Schwengels, Slater, Small, Taylor, Tieden, Vande Hoef, Van Gilst, Waldstein, Wells and Yenger.

1 *Whereas*, Philip E. Burks, Research Supervisor has been
 2 a member of the staff of the Iowa Legislative Service Bureau
 3 for in excess of nineteen years; and
 4 *Whereas*, Philip E. Burks has distinguished himself during
 5 his tenure with the Legislative Service Bureau and is
 6 recognized by present and past members and staff of the General
 7 Assembly, as well as by legislators and staff from other
 8 states, as one of the most energetic and knowledgeable state
 9 legislative staff members in the nation; and
 10 *Whereas*, Philip E. Burks is recognized as an expert in
 11 soil conservation laws, social service legislation, election
 12 laws, and many other areas of law; and
 13 *Whereas*, Philip E. Burks is one of the outstanding, if
 14 not the outstanding, legislative staff experts on
 15 reapportionment and has testified before Congress regarding

16 state standards for reapportionment, assisted at least two
17 states in establishing their constitutional and procedural
18 standards for reapportionment, has been called upon by the
19 Iowa Supreme Court to provide reapportionment assistance,
20 and has served as the chairman of the National Conference
21 of State Legislatures Reapportionment Subcommittee of the
22 Ethics, Elections and Reapportionment Committee and during
23 such tenure co-authored a highly praised publication on
24 reapportionment which has been distributed to the legislatures
25 of the fifty states; and
26 *Whereas*, Governor Robert D. Ray has recognized the
27 contributions of Philip E. Burks to the state of Iowa by
28 naming Phil as the first recipient of the Employee Special
29 Achievement Award and will make the presentation of that award
30 on Friday, January 30, 1981, *Now Therefore*,

Page 2

1 *Be It Resolved by the Senate*, That the General Assembly
2 join the Governor in recognizing Philip E. Burks' years
3 of outstanding service to the state, as well as service to
4 many states, and pay tribute to and thank Phil for the
5 many jobs he has done so well; and
6 *Be It Further Resolved*, That a copy of this resolution
7 be forwarded to Philip E. Burks, his wife, Marj, and children,
8 Chuck, Tom, and Linda Kay.

Read first time and passed on file.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointment to a standing committee for investigation on January 28, 1981.

Charlotte Mohr—Iowa Natural Resources Council—Natural Resources Committee.

CALVIN O. HULTMAN, Chairperson

SUBCOMMITTEE ASSIGNMENT FOR GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 58, the following Senators were appointed to a subcommittee of a standing committee:

NATURAL RESOURCES: As a member of the Iowa Natural Resources Council:

CHARLOTTE MOHR
Kudart, Chairperson
Gentleman
Hutchins

REPORTS OF INVESTIGATING COMMITTEES

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Ann Frenzen, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of John R. Hagie, Clarion, Wright County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of James I. Middleswart, Indianola, Warren County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Robert W. Schlutz, Columbus Junction, Louisa County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Clark A. Yeager, Ottumwa, Wapello County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Richard P. Crawford, Jr., Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa Commission for the Blind under the provisions of Section 601B.1, 1979 Code of Iowa, for a term beginning July 1, 1980, and ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Earl M. Yoder, Iowa City, Johnson County, Iowa, for appointment as a member of the Iowa Housing Finance Authority under the provisions of 220.2, 1979 Code of Iowa, for the unexpired portion of a term ending April 30, 1981, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson /

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Charles Crawford, Adair, Adair County, Iowa, for appointment as a member of the Iowa Railway Finance Authority under the provisions of Chapter 1095, Acts of the 68th General Assembly, 1980 Regular Session, for a term beginning July 1, 1980, and ending April 30, 1982, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of William McGrath, Melrose, Monroe County, Iowa, for appointment as a member of the Iowa Railway Finance Authority under the provisions of Chapter 1095, Acts of the 68th General Assembly, 1980 Regular Session, for a term beginning July 1, 1980, and ending April 30, 1986, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Fred E. McKim, West Bend, Palo Alto County, Iowa, for appointment as a member of the Iowa Railway Finance Authority under the provisions of Chapter 1095, Acts of the 68th General Assembly, 1980 Regular Session, for a term beginning July 1, 1980, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Mark A. Wampler, Allerton, Wayne County, Iowa, for appointment as a member of the Iowa Railway Finance Authority under the provisions of Chapter 1095, Acts of the 68th General Assembly, 1980 Regular Session, for a term beginning July 1, 1980, and ending April 30, 1982, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of O.R. Woods, Palo, Linn County, Iowa, for appointment as a member of the Iowa Railway Finance Authority under the provisions of Chapter 1095, Acts of the 68th General Assembly, 1980 Regular Session, for a term beginning July 1, 1980, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of E.J. (Gene) Paul, Ph.D., Des Moines, Polk County, Iowa, for appointment as a member of the Professional and Occupational Regulation Commission under the provisions of Chapter 41, Acts of the 68th General Assembly, 1979 Regular Session, for the unexpired portion of a term ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Barbara J. Dunn, Des Moines, Polk County, Iowa, for reappointment as a member of the State Transportation Commission under the provisions of Section 307.3, 1979 Code of Iowa, for a term beginning July 1, 1980, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Delmar Van Horn, Jefferson, Greene County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Section 307.3, 1979 Code of Iowa, for a term beginning July 1, 1980, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate Concurrent Resolution 2, the following technical correction was made:

1. Amendment S—3010 to Senate Concurrent Resolution 2, page 1, line 3, the words "the same or" should not be underlined.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 112, the following technical correction was made:

1. Amendment S—3011 to Senate File 112, lines 18 and 19, the words "sections 29 and 30" were changed to "sections 29 and 30 are" and "section 29" was changed to "section 29 is".

LINDA HOWARTH MACKAY
Secretary of the Senate

FURTHER
REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION*

*A previous report of this meeting was recorded on page 218 of the Senate Journal.

Final Bill Action: Senate Resolution 4, a resolution to authorize the hiring of Frank J. Stork as special consultant to the Senate for portions of January 12, 13, and 26, 1981.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hultman, Hulse, Holden, Junkins and Ramsey. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 27, 1981, 9:15 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; Deluhery and DeKoster.

Members Absent: Gentleman.

Other Committee Business: Reviewed fiscal '81 budget reductions for the Juvenile Correction Facilities and Adult Corrections.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 27, 1981, 9:35 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins (arrived 9:45 a.m.).

Members Absent: Nystrom.

Other Committee Business: Reviewed and summarized the 1980-81 budgets for various agencies.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: January 27, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Discussed budget recommendations; representatives from the Health Department and the Commission on Aging appeared before the committee to answer questions.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 27, 1981, 9:35 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Iowa State Fair Board; summary of department hearings to date.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 27, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Discussed Comptroller's salary adjustment fund and Revenue's reassessment expense fund; passed subcommittee resolution to have Stan McCausland appear on January 28, regarding timetable for Commerce Commission's move to fifth floor of Lucas building.

Adjourned: 10:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 27, 1981, 9:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Passed revised proposed committee bill on funding of specified programs to Appropriations Committee; presentation by Department of Social Services personnel on foster care, displaced homemaker program and day care licensing.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 27, 1981, 9:35 a.m.

Members Present: Schwengels, Chairperson; Taylor, Lura and Wells.

Members Absent: Carr, Ranking Member (excused).

Other Committee Business: Appropriations reduction presentations by Merit Department and Judicial Department.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: January 27, 1981, 9:35 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake (arrived 10:15 a.m.) and Holden.

Members Absent: none.

Other Committee Business: Discussion of possible budget reductions by the Law Enforcement Academy, Department of Transportation and Disaster Services.

Adjourned: 10:30 a.m.

AGRICULTURE

Convened: January 27, 1981, 8:00 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein.

Members Absent: none.

Other Committee Business: William Greiner and Bill McNearney of the Iowa Farm Finance Authority, made a presentation; Andrew Varley, Chairman of the Commerce Commission, spoke on pipeline construction; Earl Willits of the Attorney General's Office was present; assigned bills to subcommittees.

Adjourned: 9:55 a.m.

COMMERCE

Convened: January 28, 1981, 1:30 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, Craft, Husak, Jensen, Priebe and Rush.

Members Absent: DeKoster.

Final Bill Action: Senate File 1, a bill for an act relating to the limitation on garnishment.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Holden, Baugher, Comito, Craft, Jensen, Husak, Priebe and Rush. Nays, 1: Deluhery. Absent or not voting, 1: DeKoster.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 58, a bill for an act amending a provision of the Iowa consumer credit code to allow short-term loans to be repayable in full at the end of the loan term.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Holden, Baugher, Deluhery, Comito, Craft, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 1: DeKoster.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Discussed Senate File 13; assigned bills to subcommittees.

Adjourned: 2:30 p.m.

STUDY BILLS RECEIVED

S.S.B. 150 State Government

Relating to paying members of the department's council on a per diem basis plus necessary travel expenses.

S.S.B. 151 State Government

Abolish the vehicle inspection review board and transfer its duties relating to appeal hearings on suspension or revocation of

inspection station permits to the transportation regulation board.

S.S.B. 152 Ways and Means

Reassessment expense fund—Department of Revenue.

S.S.B. 153 Natural Resources

Relating to licenses issued by the state conservation commission by increasing certain hunting, fishing, and trapping license fees, eliminating certain hunting and fishing licenses and wildlife stamps, requiring a certain amount of certain license fees be deposited in the state fish and game protection fund, permitting designated depositaries to reimburse county recorders a certain percentage of the permitted writing fee, and increasing the writing fee.

S.S.B. 154 Natural Resources

Relating to falconry licenses.

S.S.B. 155 Labor and Industrial Relations

To amend section eighty-five point seventy-one (85.71) of the Code relating to workers' compensation benefits for persons employed outside of the state.

S.S.B. 156 Labor and Industrial Relations

Relating to the protection of the civil rights of workers to pursue lawful vocations in this state free from infringements in the case of a labor dispute or otherwise.

S.S.B. 157 Labor and Industrial Relations

Relating to the minimal amount of wages that must be paid in the base period, before an individual is eligible for unemployment compensation benefits.

S.S.B. 158 Labor and Industrial Relations

Relating to the period of time a person must be employed prior to being eligible for unemployment compensation benefits.

S.S.B. 159 Cities

To exempt the state of Iowa, its agencies and political subdivisions from a tax on motor fuel.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	126	State Government
S. F.	127	State Government
S. F.	128	County Government
S. F.	129	Ways and Means

AMENDMENTS FILED

S—3026	S. F.	87	Rolf V. Craft
S—3027	S. F.	87	Rolf V. Craft
S—3028	S. F.	123	Edgar H. Holden
S—3029	S. F.	123	Edgar H. Holden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Thursday, January 29, 1981.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 29, 1981

The Senate met in regular session at 9:14 a.m., President Branstad presiding.

Prayer was offered by the Reverend Rolland C. Towell, pastor of the St. Charles Combined Parish of Disciples of Christ Church, St. Charles, Iowa.

Reverend Towell presented the following proclamation from Governor Robert D. Day:

STATE OF IOWA
Executive Department
In the Name and by the Authority of the State of Iowa

PROCLAMATION

Whereas, after 444 long days of separation, the 53 former hostages are now back on American soil; and
Whereas, the hostages and their families have displayed great courage and fortitude during this entire crisis; and
Whereas, Iowa's Kathryn Koob is among these valiant Americans who endured more than 14 months of captivity in Iran and who maintained their integrity and honor throughout this long ordeal; and
Whereas, may this tragic event in the history of the world serve as a reminder always of the value of freedom and liberty; and
Whereas, President Ronald Reagan has declared this a day to give thanks for the safe return of our 53 fellow citizens;
Now Therefore, I, Robert D. Ray, Governor of the state of Iowa, do hereby proclaim January 29, 1981 as a day of

SPECIAL PRAYER AND THANKSGIVING

in Iowa, and call upon all Iowans to join in celebrating the release of our hostages. I further urge that all bells in the state be rung at noon for five minutes to commemorate this historic occurrence.

(SEAL)

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 29th day of January, in the year of our Lord one thousand nine hundred eighty-one.

ROBERT D. RAY, Governor

The Journal of Wednesday, January 28, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lawrence Larson, Harlan, Iowa.

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

The Senate resumed session, President Branstad 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.

Senator Hultman moved that the Senate proceed to the House chamber in accordance with House Concurrent Resolution 7, duly adopted.

The motion prevailed by a voice vote 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 House Concurrent Resolution 7, duly adopted, the joint convention was called to order at 10:00 a.m., President Branstad presiding.

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

Senator Hultman 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 by a voice vote and the Chair appointed as such committee Senators Nystrom, Kinley and Schwengels, on the part of the Senate, and Representatives Egenes, Renaud and Van Maanen, on the part of the House.

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

The committee waited upon Governor Ray and escorted him to the Speaker's station. President Branstad then presented Governor Ray, who delivered the following budget address:

MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, JUSTICES OF THE SUPREME COURT AND MEMBERS OF THE APPELLATE COURT, STATE OFFICIALS, SENATORS AND REPRESENTATIVES, AND IOWANS:

The budget I present to you and to our Iowans today is very important. But on this day, bells are ringing here in Iowa, and around our nation, for a special purpose that transcends budgets and government. Bells are ringing to celebrate freedom. This is a "National Day of Thanksgiving" for the freedom of 53 very special Americans.

Just 16 days ago, I reported to Iowans on the Condition of the State. I prefaced that report with the hope that one Iowan, Kathryn Koob, would soon be home again, along with the other hostages.

Kathryn Koob will soon be home—so today is truly an "Iowa Day of Thanksgiving."

America's third President, Thomas Jefferson, said, "The God who gave us life, gave us liberty at the same time."

Today let us express our thanks to God for the freedom of 53 brave Americans, and for that gift of liberty He bestowed upon our land. . .

The hostage ordeal is behind us now. It is history. So, too, is the Inauguration of Ronald Reagan, our new President, who incidently did a magnificent job last Tuesday in welcoming the hostages.

The exhilaration we share need not fade away. I hope it lingers for awhile, because it's kind of nice to feel so good about our country. I wish I could say the same for our economy.

In the days, weeks, and months ahead our chief concern will be the troubled economy of this country.

This legislature and others are wrestling with the reality of inflation, recession, the rising cost of energy, and high interest rates. So, too, are city councils, county supervisors, and local school boards.

There will be much debate in the new Congress about how to strengthen the economy. In the meantime, we all continue to cope—trying to make ends meet.

Economic problems plague Iowa farm families, business people, assembly line workers, teachers, retired Iowans, merchants, homemakers, secretaries, and students—just about everybody.

How is state government affected?

When farmers receive less income, they pay less tax.

When businesses earn less money, they pay less tax.

When people lose their jobs and have no income, they pay no tax.

At the state level, tax revenues have dropped below projections. To offset a deficit, we were forced to act decisively in 1980, and act we did. Unlike the federal government, we could not print money to pay for programs. We had to cut programs to save money.

Last April, we chopped \$95 million from the budget, and later I ordered across-the-board spending cuts of 4.6 percent—totaling another \$78 million.

I imposed a freeze on state hiring, and I can tell you today state government's payroll is down about 700 employees.

I have taken still more action—stopping the purchase of new cars, cutting procurement of new equipment, reducing out-of-state travel, conserving more energy, trimming paperwork, curtailing construction, scaling back programs and consolidating others. We have done all of this, and more.

Last month I proposed a series of steps to keep Iowa's budget balanced at the end of this fiscal year. I am pleased with the Senate's prompt action on those items, and I trust the House will follow. Today, I also appeal to every manager and every employee in government to help us squeeze and freeze to save taxpayers' dollars. If we don't, still further cuts may be necessary.

Beginning July 1 we will have a new fiscal year and a new budget. To build that budget, I held days of hearings and I offered the public an opportunity to come into the Governor's office and tell me their needs.

Iowa's agency heads held down their askings, and I am grateful for their cooperation. Still, requests added up to some \$2 billion for FY 1982.

We simply do not have that kind of money. You know that, I know that, and our Iowans know that.

Here is our dilemma. Because of the adverse national economy, we have, in effect, lost one year of revenue growth. Looking ahead, we face higher salary requests, higher utility costs, and higher costs for the materials we buy—from asphalt for Iowa roads to award-winning programs for IPBN.

What is the answer? Many suggest simply raising the sales tax. It's always easy to talk about raising taxes. But if you do raise taxes, you'll find it is not so easy for people to pay them.

I'll give you my reaction to that suggestion.

I do not support raising the sales tax—nor do I support raising income tax rates.

Instead, we just make the hard decision. We must be frugal. We will be austere.

This budget basically extends our current level of spending with increases only to meet critical needs. There will be some pain, but we will not ignore essential services to our citizens.

Those services include education, human needs, natural resources, transportation, and public safety, among others.

Here are some highlights:

EDUCATION

Iowa is a leader in education. People acknowledge that from coast to coast. Ten years ago, this administration proposed and started the School Foundation Plan to sustain local schools and restrain property taxes. We have pumped more money into school aid every year.

State school aid will increase by \$38 million above this year's funding—over half of all the increased General Fund spending—not withstanding 14,000 fewer students.

In this budget, aid to local schools alone totals \$619 million in FY 1982 and \$646 million in FY 1983.

There are two other measures to help schools which deserve your support—allowing schools to continue to levy for cash reserves and delaying the date for tendering individual contracts.

This budget also maintains state assistance for non-public students.

Higher education is always a source of pride in the state of Iowa. Many of our best doctors, lawyers, teachers, dentists, veterinarians, engineers, and other leaders come from Iowa's universities. In addition to being good places to learn, our schools are also on the frontier of exciting research.

Like elsewhere in the budget, we include increases for Regents faculty and staff, along with funds to pay higher utility costs.

This is also a time to use our available authority to finance pressing capital improvements. Without a surplus, it is appropriate to bond. We can avoid inflated construction costs in the future while spurring Iowa's economic recovery today.

My budget continues support for Iowa's excellent Area Community Colleges, for college courses taught in western Iowa, and for the Tuition Grant Program which we began to help private college students.

Had revenues kept pace we could have done even more for education. But I want you to know that education does take nearly 60 percent of this budget—the biggest slice of the pie.

HUMAN RESOURCES

Tough economic times like these and tight budgets like ours most severely affect those at the low-end of the income scale—people already suffering from inflation and high energy costs. Iowa has been meeting critical human needs. Still, there is a limit to what we can do, because there is a limit to what we can afford.

This budget funds mandated programs and continues those we believe are necessary—such as elderly and homemaker services. These are not programs we are required to have by law. These are programs we want to have because we care.

This budget funds the larger Aid for Dependent Children caseload, but we cannot provide for increased benefits. Budget constraints require us to drop the Unemployed Parent component of ADC and to change step-parent assistance.

Iowa's growing prison population and other corrections issues demand our attention in 1981. They are thorny issues. They are controversial. And, they carry a price tag.

Several court cases remain unsettled, but we should not wait for those rulings to do what has to be done. My two-year budget provides increased security and covers the costs of housing more inmates.

NATURAL RESOURCES

Virtually everything we have in Iowa stems in some way from our land. While we are far from where we want to be, we have made great strides in preserving our resources while cleaning our air and our water. We began the state cost-share program for soil conservation, and we have expanded it.

Again, considerable support for soil conservation is embodied in this budget. We are not abdicating our stewardship of Iowa's fragile land.

TRANSPORTATION

Moving people and products is crucial to any economy, and certainly that is true here in Iowa. We need roads. We need railroads. We need a viable transportation system. We must have it!

Iowa's success stories in the 70s are still talked about in transportation circles. The challenge today is to recognize economic realities and maintain our transportation network.

Today, people are driving fewer miles. Many are driving smaller cars. They are using less gas.

While this conservation is good, revenues from the sale of fuel have dropped three percent, while road construction costs are up 22 percent this year. Consider, also, that a lot of Iowa's roads were built in the 1920s and 30s. Many of them are wearing out in the 1980s.

At the present funding level, a road built in 1981 would have to last 180 years before it could be rebuilt.

To maintain essential roads, I again set forth a plan for a percentage road user fee. This wise approach will also fund the Iowa State Patrol and driver's licensing. You should know that 14 States have moved to the percentage formula, and 25 states pay for Highway Patrol services out of road use funds.

This budget will rebuild an additional 107 miles of railroad branchline in each of the next two years, and continues support for local public transit.

PUBLIC SAFETY

Our state is still one of the safest places in which to live. Two weeks ago I gave you a plan to help keep it that way—a plan for a Criminal Justice Improvement Fund.

It will be financed by lawbreakers and will be a key weapon in our fight against crime. I am glad to champion this idea. With more dollars for criminal investigation and the Crime Lab, this fund will give us a better chance of catching criminals, and a better crack at convicting them, too.

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The Governor's budget for 1982-83 includes other priorities. Let me quickly cite a few of them:

- *Intensified utility rate review by the Commerce Commission
- *Programs to reduce child and domestic abuse
- *Continued promotion of "Fine Iowa Meats"
- *Hazardous waste monitoring and disposal
- *Opening the new Veterans Home addition in Marshalltown
- *Stricter regulation of insurance marketing

This budget does and does not do several other things.

This budget recognizes this is not the time for new agencies or new programs. Rather, it reaffirms my belief that, when there are hard times, the suffering is shared. Nothing is spared.

This budget does not take a meat-axe to government. For instance, we need to have an Office of Disaster Services to coordinate emergency response to tornadoes, blizzards, droughts, flooding, and yes, even the closing of bridges. This office obtained \$4.5 million in federal aid for Iowans the past two years. To delete Disaster Services from state government just doesn't make sense.

Despite the loss of federal revenue sharing, I have chosen to continue municipal and county assistance in this budget. State aid is only a small portion of local budgets, but it can make a real difference in local services.

Collective bargaining is currently underway to determine salary increases for state employees. Because the process is not complete, it is not possible to include an exact amount for salaries in this budget. However, we have provided for increases from a Salary Adjustment Fund and from the treasury balance.

I must tell you this budget may require reducing state employment even further.

Making cuts to balance this budget was like choosing between one's children. Yet, I did cut. I cut \$306 million from department askings.

Nevertheless, this budget will serve our Iowans. It will protect our Iowans. It will not dismantle everything we have built together. It is not a signal for retreat.

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So far this morning I have outlined my thoughts for appropriating state money. Now let me take a moment to discuss revenues.

Last year's legislature provided additional tax credits for property owners, extended income tax indexing, and locked in productivity assessment of farm land. This year we will continue ag land, homestead, and elderly property tax credits at current levels.

In order to fund required prison costs and to keep this state in the black, we need to increase the cigarette tax, and inter-state long-distance calls to the telephone sales tax, and collect the premium tax paid by insurance companies quarterly instead of annually.

These are not major taxes. These are appropriate sources for a little extra revenue, and they are needed now.

This is perhaps a good time to remind you that Iowa ranks 25th in size and 27th in population. Yet, we rank 36th in state and local tax collections per \$1,000 income. That ranking is a credit to us—one we don't want to lose.

Let me also remind you that property taxes need not be increased because of this budget. Instead, local units of government and schools will likely have to make cuts, as we are doing at the state level.

Because of inflation, you can easily see why this balanced budget is "hold-the-line" at best. We expect to pick up more savings by implementing the Governor's Economy Committee report. Hopefully, we may be able to restore some cuts in the second year of this two-year budget plan.

The budget for the second year of the biennium will obviously need more work next year, and if wholesale changes in federal programs are forthcoming from Washington, this budget may need amending both years.

We have a volatile economy. We hope for an economic turnaround, but we are skeptical of rosy forecasts. So we will keep a close eye on commodity prices, interest rates, and other economic indicators. We will review monthly receipts carefully.

With purchasing power reduced, everybody will be scrambling for precious dollars this session. You, too, can brace yourselves for a barrage of requests. People will tell you they are in jeopardy, and entitled to more money. Soon legislation will carom back and forth between the chambers, to be reconciled, approved, and sent to my desk.

All of this will pass, and the Iowa we know and love will go on, with some cloudy days, yes, but always with the prospect of a bright, new dawn.

When Iowa achieved statehood, a generation of Pioneer Iowans tamed the prairie and plowed the ground.

Later, a generation of depression-era Iowans survived economic collapse and built an agri-business economy second to none.

Today, a new generation of Iowans is challenged to push ahead despite adversity. These Iowans are looking to us for direction. They are looking to us for leadership.

Will we succumb to circumstances beyond our control? We will not!

Will we turn our backs and walk away from urgent problems? We will not!

Will we let special interests chart our course? We will not!

The budget I give you today squarely confronts our circumstances. It offers substantive problem-solving. And, it is designed to do the most good for the most people.

This budget is built on basic principles. This budget is right for this state at this time. We can and should sculpt this budget with purpose, not panic—with calm, not chaos.

I thank you for the support you have given me before, and for your encouragement during this budget process. Already your leaders have shown determination in holding down your expenses, and for that, I also thank you.

Finally, on behalf of our Iowans, I thank you for being here and working with me in our Capitol. You are citizens who serve as legislators. And this year, perhaps more than ever, as legislators, you can truly serve our citizens.

You have my word that I will help.

Thank you.

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

Representative Pope moved that the joint convention be dissolved, which motion prevailed by a voice vote.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 10:55 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:50 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Lura, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the imposition of a limitation on expenditure of state funds.

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

Senate File 141, by Gratias, a bill for an act relieving reimbursable employers of charges paid to part-time employees who have been receiving partial benefits due to separation from their regular full-time employment.

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

Senate File 142, by Craft, a bill for an act relating to the financial responsibility requirements for the operation and registration of motor vehicles in this state, and providing a penalty and a January 1 effective date.

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

Senate File 143, by Holden, a bill for an act relating to exemptions from execution.

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

Senate File 144, by Holden, a bill for an act relating to continuing professional and occupational education, and including civil penalties.

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

Senate File 145, by Committee on State Government, a bill for an act relating to the fee collected for services performed, and certificates and copies of records issued within the department of health.

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

Senate File 146, by Committee on State Government, a bill for an act relating to procedures for construction, repair and improvement of public buildings.

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

Senate File 147, by Committee on State Government, a bill for an act to eliminate the requirement of publication of a synopsis of the annual report of insurance companies doing business in this state.

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

Senate File 148, by Committee on Transportation, a bill for an act to allow monthly refunding of motor vehicle registration reciprocity fees.

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

Senate File 149, by Committee on Education, a bill for an act relating to joint meetings of members of boards of an area education agency and its corresponding merged area.

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

Senate File 150, by Taylor, a bill for an act relating to the rule-making authority of criminal justice agencies concerning the security and confidentiality of intelligence data.

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

Senate File 151, by Taylor, a bill for an act to require minimum standards of proficiency in basic skills for students in grades seven through twelve.

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

Senate File 152, by Lura, a bill for an act providing that manufacturers and nonresident vendors shall not sell pilot lights commencing two years after the commerce commission has certified an alternative ignition device for a gas appliance.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE JOINT RESOLUTION 3

State Government
Lura, Chairperson
Briles
Hutchins

SENATE FILE 26

Transportation
Doyle, Chairperson
Comito
Murray

SENATE FILE 33

Transportation
Jensen, Chairperson
Drake
Coleman

SENATE FILE 47

Education
Small, Chairperson
Carney
Brown

SENATE FILE 50

Education
Jensen, Chairperson
Gratias
Dreeszen

SENATE FILE 55

State Government
Tieden, Chairperson
Gentleman
Gallagher

SENATE FILE 60

County Government
Yenger, Chairperson
Wells
C. Miller

SENATE FILE 68

Education
Taylor, Chairperson

SENATE FILE 22

County Government
Hester, Chairperson
Goodwin
Priebe

SENATE FILE 29

Education
DeKoster, Chairperson
Carney
Small

SENATE FILE 37

Transportation
Drake, Chairperson
Murray
Doyle

SENATE FILE 48

State Government
Lura, Chairperson
Schwengels
C. Miller

SENATE FILE 53

State Government
Palmer, Chairperson
Tieden
Gentleman

SENATE FILE 59

State Government
Schwengels, Chairperson
Briles
Tieden

SENATE FILE 67

Transportation
Bisenius, Chairperson
Jensen
A. Miller

SENATE FILE 70

Transportation
Jensen, Chairperson

Dreeszen
Wells

SENATE FILE 72

Transportation
Jensen, Chairperson
Drake
Coleman

SENATE FILE 79

Education
Wells, Chairperson
Brown
Jensen

SENATE FILE 85

State Government
Nystrom, Chairperson
Schwengels
Slater

SENATE FILE 88

State Government
Schwengels, Chairperson
Nystrom
Carr

SENATE FILE 90

Education
Brown, Chairperson
DeKoster
Anderson

SENATE FILE 96

Commerce
Holden, Chairperson
Baugher
Rush

SENATE FILE 98

State Government
Schwengels, Chairperson
Briles
Palmer

SENATE FILE 101

Cities
Holden, Chairperson
Comito
Wells

Drake
Coleman

SENATE FILE 74

Education
Carney, Chairperson
Anderson
Taylor

SENATE FILE 82

State Government
Nystrom, Chairperson
Schwengels
Slater

SENATE FILE 86

Education
Gratias, Chairperson
Carney
Dreeszen

SENATE FILE 89

State Government
Schwengels, Chairperson
Drake
Gallagher

SENATE FILE 92

State Government
Nystrom, Chairperson
Schwengels
Palmer

SENATE FILE 97

Education
Jensen, Chairperson
Taylor
Small

SENATE FILE 99

Transportation
Drake, Chairperson
Jensen
Coleman

SENATE FILE 102

Education
Taylor, Chairperson
Jensen
Small

SENATE FILE 103

Ways and Means
 Craft, Chairperson
 Hultman
 Rush

SENATE FILE 105

Agriculture
 Waldstein, Chairperson
 Vande Hoef
 Husak

SENATE FILE 108

Education
 Small, Chairperson
 Jensen
 Carney

SENATE FILE 110

Appropriations
 Appropriations Subcommittee
 on Education

SENATE FILE 115

Judiciary
 Kudart, Chairperson
 Baugher
 Coleman

SENATE FILE 117

Ways and Means
 Holden, Chairperson
 Husak
 Ramsey

SENATE FILE 120

Ways and Means
 Hester, Chairperson
 Junkins
 Hultman

SENATE FILE 125

Agriculture
 Taylor, Chairperson
 A. Miller
 Dreeszen

SSB 38

County Government

SENATE FILE 104

Commerce
 Holden, Chairperson
 DeKoster
 Husak

SENATE FILE 107

Education
 Grattias, Chairperson
 Dreeszen
 Anderson

SENATE FILE 109

Judiciary
 Kudart, Chairperson
 Rush
 Dreeszen

SENATE FILE 111

Ways and Means
 Craft, Chairperson
 Rodgers
 Readinger

SENATE FILE 116

State Government
 Schwengels, Chairperson
 Lura
 Palmer

SENATE FILE 119

State Government
 Schwengels, Chairperson
 Lura
 Palmer

SENATE FILE 123

State Government
 Schwengels, Chairperson
 Lura
 Palmer

SENATE RESOLUTION 3

Rules and Administration
 Hultman, Chairperson
 Junkins
 Ramsey

SSB 59

Ways and Means

Goodwin, Chairperson
C. Miller
Yenger

SSB 60

Ways and Means
Holden, Chairperson
Husak
Ramsey

SSB 64

Judiciary
Deluhery, Chairperson
Rush
Taylor

SSB 66

Natural Resources
Hutchins, Chairperson
Van Gilst
Gentleman

SSB 68

Natural Resources
Goodwin, Chairperson
Hutchins
Gallagher

SSB 70

Natural Resources
Tieden, Chairperson
Van Gilst
Rodgers

SSB 72

Ways and Means
Hester, Chairperson
Ramsey
Priebe

SSB 74

Ways and Means
Palmer, Chairperson
Hester
Ramsey

SSB 76

Ways and Means

Holden, Chairperson
Husak
Ramsey

SSB 62

Ways and Means
Readinger, Chairperson
Craft
Lura
Van Gilst
Rush

SSB 65

Natural Resources
Schwengels, Chairperson
Gallagher
Van Gilst

SSB 67

Natural Resources
Van Gilst, Chairperson
Tieden
Hutchins

SSB 69

Natural Resources
Tieden, Chairperson
Goodwin
Hutchins

SSB 71

Natural Resources
Kudart, Chairperson
Goodwin
Gallagher

SSB 73

Ways and Means
Husak, Chairperson
Taylor
Hester

SSB 75

Ways and Means
Rush, Chairperson
Lura
Hester

SSB 77

Ways and Means

Priebe, Chairperson
Hester
Lura

SSB 78

Ways and Means
Hester, Chairperson
Rush
Craft

SSB 80

Ways and Means
Holden, Chairperson
Palmer
Readinger

SSB 82

Ways and Means
Taylor, Chairperson
Priebe
Holden

SSB 88

Judiciary
Ramsey, Chairperson
Carr
Kudart

SSB 107

Natural Resources
Gentleman, Chairperson
Rodgers
Kudart

SSB 122

Judiciary
Baughner, Chairperson
Dreeszen
Coleman

SSB 124

Judiciary
Doyle, Chairperson
Ramsey
Kudart

SSB 126

Judiciary
Baughner, Chairperson
Carr
Ramsey

Lura, Chairperson
Junkins
Readinger

SSB 79

Ways and Means
Holden, Chairperson
Husak
Ramsey

SSB 81

Ways and Means
Hester, Chairperson
Taylor
Palmer

SSB 83

Ways and Means
Lura, Chairperson
Van Gilst
Hester

SSB 89

Natural Resources
Tieden, Chairperson
Van Gilst
Rodgers

SSB 121

Judiciary
Rush, Chairperson
Carr
Taylor

SSB 123

Judiciary
Doyle, Chairperson
Baughner
Carr

SSB 125

Judiciary
Taylor, Chairperson
Rush
Murray

SSB 127

Judiciary
Small, Chairperson
Dreeszen
Carr

SSB 128

Judiciary
 Baugher, Chairperson
 Deluhery
 Coleman

SSB 130

Judiciary
 Carr, Chairperson
 Lura
 Dreeszen

SSB 132

Judiciary
 Ramsey, Chairperson
 Baugher
 Coleman

SSB 134

Commerce
 Holden, Chairperson
 Jensen
 Deluhery

SSB 136

Ways and Means
 Craft, Chairperson
 Readinger
 Rush

SSB 139

Commerce
 Baugher, Chairperson
 Craft
 Husak

SSB 142

Judiciary
 Rush, Chairperson
 Dreeszen
 Murray

SSB 145

Cities
 Carney, Chairperson
 Readinger
 Kinley

SSB 147

Cities

SSB 129

Judiciary
 Doyle, Chairperson
 Lura
 Coleman

SSB 131

Judiciary
 Doyle, Chairperson
 Baugher
 Carr

SSB 133

County Government
 Vande Hoef, Chairperson
 Brown
 Waldstein

SSB 135

Agriculture
 Hester, Chairperson
 Dreeszen
 Van Gilst

SSB 137

Ways and Means
 Rodgers, Chairperson
 Craft
 Readinger

SSB 141

Judiciary
 Murray, Chairperson
 Lura
 Coleman

SSB 143

Judiciary
 Ramsey, Chairperson
 Carr
 Doyle

SSB 146

Cities
 Slater, Chairperson
 A. Miller
 Waldstein

SSB 148

Cities

Comito, Chairperson
Wells
Waldstein

SSB 149

Cities
Carney, Chairperson
Comito
Kinley

SSB 160

County Government
Wells, Chairperson
Hester
Goodwin

SSB 167

Agriculture
Hester, Chairperson
Van Gilst
Waldstein

SSB 169

Agriculture
Dreeszen, Chairperson
Husak
Hester

SSB 171

Agriculture
Waldstein, Chairperson
Van Gilst
Hulse

Waldstein, Chairperson
Slater
Carney

SSB 159

Cities
Holden, Chairperson
A. Miller
Comito

SSB 161

County Government
Yenger, Chairperson
Vande Hoef
Wells

SSB 168

Agriculture
Vande Hoef, Chairperson
A. Miller
Hulse

SSB 170

Agriculture
Waldstein, Chairperson
A. Miller
Vande Hoef

SSB 172

Agriculture
Hutchins, Chairperson
Husak
Hulse

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 28, 1981, 9:15 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; Deluhery and Gentleman.

Members Absent: DeKoster.

Other Committee Business: Gave tentative approval on recommendations for budget reductions; deferred discussion of closing State Juvenile Home in Toledo; began update on law suits at Iowa State Penitentiary, Ft. Madison.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 28, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Hutchins and Nystrom (arrived 10:30 a.m.).

Members Absent: none.

Other Committee Business: Wayne Richey of the Board of Regents gave a presentation on current status of 1981 budget; Robert Benton from DPI gave a presentation on current status of 1981 AEA budget.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: January 28, 1981, 9:20 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; A. Miller, Readinger and Kudart.

Members Absent: none.

Other Committee Business: Approved tentative budget recommendations in bill draft form to be presented to the full Appropriations committee.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 28, 1981, 9:25 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Finalized recommended budget reductions.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 28, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Andrew Varley, Commerce Commissioner, appeared and discussed changes in the Commission's billing procedure; Stan McCausland was present and discussed the timetable for the Commerce Commission's move to the fifth floor of the Lucas Building; discussion and recommendations followed.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 28, 1981, 9:32 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown (arrived 10:00 a.m.), Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Larry Jackson, Field Operations Director, DSS, reviewed day care center licensing and family therapy; Ron Stehl, Chief Bureau of Children's Services, presented home based treatment; Sandy Scott, Director of Community Programs, DSS, and Sue Tipton, Adoption Division, DSS, reported on the Subsidized Adoption Program.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 28, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Made recommendations to reduce appropriations for the Department of State Government for fiscal '81.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: January 28, 1981, 9:30 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Recommended a one percent cut in the total budget of the Law Enforcement Academy; recommended a cut of \$186,000 from the DOT Operations budget; recommended a net cut of \$18,000 from the Department of Public Safety budget.

Adjourned: 11:40 a.m.

CITIES

Convened: January 28, 1981, 3:05 p.m.

Members Present: Readinger, Chairperson; A. Miller, Ranking Member; Wells, Kinley, Holden, Waldstein and Slater.

Members Absent: Comito, Vice Chairperson and Carney (excused).

Other Committee Business: Assigned subcommittees for S.F. 101 and study bills.

Adjourned: 3:07 p.m.

ENERGY

Convened: January 28, 1981, 1:32 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Briles, Doyle, Kudart, Readinger (arrived 1:40 p.m.), Rodgers and Yenger (arrived 2:00 p.m.).

Members Absent: none.

Other Committee Business: Video presentation by Izaak Walton League on hazardous waste; discussion by Larry E. Crane and Charlie Miller of the Department of Environmental Quality; recommended confirmation of Governor's appointees James E. Huyser and Suzan M. Stewart to the Energy Policy Council.

Adjourned: 2:50 p.m.

JUDICIARY

Convened: January 28, 1981, 3:00 p.m.

Members Present: Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Small and Taylor.

Members Absent: DeKoster, Chairperson; Lura, Murray and Ramsey.

Other Committee Business: Announced assignment of bill to subcommittee.

Adjourned: 3:10 p.m.

NATURAL RESOURCES

Convened: January 28, 1981, 8:00 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member (arrived 8:45 a.m.); Gentleman, Kudart, Tieden, Hutchins, Rodgers and Gallagher (arrived 8:10 a.m.).

Members Absent: none.

Other Committee Business: Announced subcommittee assignments; approved subcommittee reports of gubernatorial appointees to the Environmental Quality Commission; introduction of Bob Fagerland, Deputy Director, and Larry Wilson, Director, Iowa Conservation Commission.

Adjourned: 9:00 a.m.

STATE GOVERNMENT

Convened: January 26, 1981, 1:30 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Drake, Gallagher, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: Craft and Gentleman.

Final Bill Action: Senate File 145, a bill for an act relating to the fee collected for services performed, and certificates and copies of records issued within the department of health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, C. Miller, Palmer, Schwengels and Tieden. Nays, 1: Hutchins. Absent or not voting, 2: Craft and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 146, a bill for an act relating to procedures for construction, repair and improvement of public buildings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Briles, Carr, Drake, Gallagher, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none. Absent or not voting, 2: Craft and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 147, a bill for an act to eliminate the requirement of publication of a synopsis of the annual report of insurance companies doing business in this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none. Absent or not voting, 2: Craft and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Adjourned: 2:20 p.m.

TRANSPORTATION

Convened: January 27, 1981, 1:30 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius (arrived 2:15 p.m.), Comito, Doyle (arrived 1:45 p.m.), Hutchins and A. Miller.

Members Absent: Murray and Nystrom.

Final Bill Action: Senate File 148, a bill for an act to allow monthly refunding of motor vehicle registration reciprocity.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Drake, Jensen, Coleman, Comito, Hutchins and A. Miller. Nays, none. Absent or not voting, 4: Bisenius, Doyle, Murray and Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved following Governor's appointments: Barbara J. Dunn, Delmar Van Horn-State Transportation Commission. William McGrath, Fred E. McKim, O.R. Woods, Charles Crawford, Mark Wampler-Iowa Railway Finance Authority.

Adjourned: 2:25 p.m.

FURTHER REPORT OF COMMITTEE MEETING

EDUCATION*

*A previous report of this meeting was recorded on page 217 of the Senate Journal.

Final Bill Action: Senate File 149, a bill for an act relating to joint meetings of members of boards of an area education agency and its corresponding merged area.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gratiias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF INVESTIGATING COMMITTEES

Pursuant to Senate Rule 58, the Committee on Commerce assigned to investigate the character and qualifications of William J. Bestmann, Marshalltown, Marshall County, Iowa, for appointment as Director of the Iowa Development Commission under the provisions of Section 28.3, 1981 Code of Iowa, to serve at the pleasure of the Governor, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON COMMERCE
EDGAR H. HOLDEN, Chairperson

Pursuant to Senate Rule 58, the Committee on Energy assigned to investigate the character and qualifications of James E. Huyser, Pella, Marion County, Iowa, for appointment as a member of the Energy Policy Council under the provisions of Section 93.2, 1979 Code of Iowa, for the unexpired portion of a term ending April 30, 1981, and a regular four-year term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON ENERGY
DICK RAMSEY, Chairperson

Pursuant to Senate Rule 58, the Committee on Energy assigned to investigate the character and qualifications of Suzan M. Stewart, Sioux City, Woodbury County, Iowa, for appointment as a member of the Energy Policy Council under the provisions of Section 93.2, 1979 Code of Iowa, for the unexpired portion of a term ending April 30, 1981, and a regular four-year term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON ENERGY
DICK RAMSEY, Chairperson

STUDY BILLS RECEIVED

S.S.B. 160 County Government

Relating to the calendar of prisoners in the county jail or detention facility.

S.S.B. 161 County Government

Relating to mileage expense for witnesses and jurors.

S.S.B. 162 County Government

Amending Section 1, Chapter 187, Code 1981.

S.S.B. 163 Education

To appropriate funds to purchase a certain computer system at Kirkwood community college.

S.S.B. 164 Education

Relating to the election of the board of directors of a reorganized school district.

S.S.B. 165 Education

Relating to payments for tuition and transportation for certain children residing in charitable institutions, state institutions, and boarding homes.

S.S.B. 166 Education

To appropriate funds for data processing for educational purposes.

S.S.B. 167 Agriculture

Relating to liens against crops to secure payment for fertilizer and agricultural chemicals applied to farm land and providing for the perfection and enforcement of these liens, and providing for statutory damages.

S.S.B. 168 Agriculture

Relating to the fees to be collected in connection with regulatory activities of the warehouse division of the Iowa state commerce commission.

S.S.B. 169 Agriculture

Relating to fees for certificates of inspection, issued by state entomologist.

S.S.B. 170 Agriculture

An Act to raise feed tonnage fees.

S.S.B. 171 Agriculture

Amending Iowa's law on the production and sale of dairy products by updating certain internal references which are required by the Interstate Milk Shippers Compact and by repealing various paragraphs and sections which are inconsistent with such changes.

S.S.B. 172 Agriculture

Relating to the licensing of dealers of livestock, other than feeder pigs, and their agents.

S.S.B. 173 Commerce

Providing for the regulation of residential maintenance service companies by the commissioner of insurance, and providing a penalty.

S.S.B. 174 State Government

Relating to biennial licenses issued by the department of agriculture with part to be effective each year from July 1, 1981, to July 1, 1984.

S.S.B. 175 Education

Authorizing merged areas to acquire and operate student residence halls and dormitories, including dining and other incidental facilities, and to finance the cost with revenue bonds.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	131	State Government
S. F.	132	Appropriations
S. F.	133	Education
S. F.	134	Judiciary
S. F.	136	Ways and Means
S. F.	137	Ways and Means
S. F.	138	Labor and Industrial Relations
S. F.	139	Ways and Means
S. F.	140	State Government
S. R.	5	Rules and Administration

COMMUNICATIONS

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

IOWA SUPREME COURT

Pursuant to sections 684.18(2) and 684.19, The Code, the Supreme Court of Iowa has prescribed and reported to the General Assembly the following amendments to the Rules of Appellate Procedure, copies of which have been distributed to the members of the Senate Judiciary Committee, and are available to every member upon request:

Rule 3
Rule 5(a)
Rule 6

ALSO:

Pursuant to sections 684.18(1) and 684.19, The Code, the Supreme Court of Iowa has prescribed and reported to the General Assembly the following amendment to the Iowa Rules of Civil Procedure, copies of which have been distributed to the members of the Senate Judiciary Committee, and are available to every member upon request:

Rule 327

ALSO:

Pursuant to sections 813.4 and 684.19, The Code, the Supreme Court of Iowa has prescribed and reported to the General Assembly the following amendments to the Rules of Criminal Procedure, copies of which have been distributed to the members of the Senate Judiciary Committee, and are available to every member upon request:

Rule 1(2)(b)
Rule 10(4)
Rule 10(10)
Rule 12(3)
Rule 13(3)(b)

ALSO:

Pursuant to sections 229.40 and 684.19, The Code, the Supreme Court of Iowa has prescribed and reported to the General Assembly the following changes in existing Forms for the Involuntary Hospitalization of the Mentally Ill, copies of which have been distributed to the members of the Senate Judiciary Committee, and are available to every member upon request:

Form 1
Form 7
Form 8
Form 13
Form 23
Form 24
Form 27 (new)
Form 28 (new)

AMENDMENT FILED

S—3030

S. F.

87

Richard F. Drake
Richard Comito

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 2:55 p.m., until 10:00 a.m., Monday, February 2, 1981.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 2, 1981

The Senate met in regular session at 10:02 a.m., President Branstad presiding.

Prayer was offered by Reverend Hugh Stone, pastor of the Mitchellville United Methodist Church, Mitchellville, Iowa.

The Journal of Thursday, January 29, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Howard Beatty, Creston, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Deluhery and Miller of Des Moines for the morning session on request on Senator Junkins.

INTRODUCTION OF BILLS

Senate File 153, by Hutchins, a bill for an act relating to the rate of unemployment compensation contributions for employers.

Read first time and passed on file.

Senate File 154, by Tieden, a bill for an act repealing the prohibition against a municipality, county, or other governmental unit within the state making a law, ordinance, or regulation relating to the availability of obscene materials.

Read first time and passed on file.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 87

On motion of Senator Comito, Senate File 87, a bill for an act providing for the designation of handicapped parking spaces and providing a penalty, was taken up for consideration.

Senator Drake offered amendment S—3008 filed by Senators Drake, et al., on January 20, 1981, to pages 1, 4 and 7 of the bill and moved its adoption.

Amendment S—3008 was adopted by a voice vote.

Senator Craft offered amendment S—3026 filed by him on January 28, 1981, to page 5 of the bill and moved its adoption.

Amendment S—3026 was adopted by a voice vote.

Senator Craft offered amendment S—3027 filed by him on January 28, 1981, to page 5 of the bill and moved its adoption.

Amendment S—3027 was adopted by a voice vote.

Senator Drake offered amendment S—3030 filed by Senators Drake and Comito on January 29, 1981, to page 5 of the bill.

Senator Drake asked and received unanimous consent that action on amendment S—3030 be temporary deferred.

Senator Drake offered amendment S—3007 filed by Senators Drake and Comito on January 29, 1981, to page 6 of the bill and moved its adoption.

Amendment S—3007 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that action on amendment S—3030 and **Senate File 87** be deferred.

Senate File 106

On motion of Senator Hultman, Senate File 106, a bill for an act correcting the law relating to the appointment and confirmation of certain gubernatorial appointments, was taken up for consideration.

Senator Hultman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 106) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Baughner	Bisenius	Deluhery	Gratias
Miller, C.P.	Ramsey		

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

Senate File 122

On motion of Senator Murray, Senate File 122, a bill for an act relating to the operation and registration fees of motorcycles, was taken up for consideration.

Senator Junkins raised the point of order that Senate File 122 be referred to the committee on Ways and Means under Senate Rule 37.

The Chair ruled the point well taken and **Senate File 122** was referred to the committee on **Ways and Means** under Senate Rule 37.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 80.

Senate File 80

On motion of Senator Rush, Senate File 80, a bill for an act relating to the administration of judicial district departments of correctional services, with report of committee recommending passage, was taken up for consideration.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 80) the vote was:

Ayes, 46:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Bisenius	Deluhery	Gratias	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Ramsey took the chair at 10:45 a.m.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration Senate Resolution 4.

Senate Resolution 4

On motion of Senator Hultman, Senate Resolution 4, a resolution providing for compensation to Frank J. Stork, filed January 28, 1981, and found on page 242 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 4, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 58.

Senate File 58

On motion of Senator Priebe, Senate File 58, a bill for an act amending a provision of the Iowa consumer credit code to allow short-term loans to be repayable in full at the end of the loan term, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 58) the vote was:

Ayes, 46:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Bisenius	Deluhery	Gratias	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REFERRED TO COMMITTEE

Senator Junkins raised the point of order that Senate File 130 be referred from the Regular Calendar to the committee on Ways and Means under Senate Rule 37.

The Chair ruled the point well taken and **Senate File 130** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

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

The Senate resumed session, President Branstad presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 86

On motion of Senator Gratias, Senate File 86, a bill for an act relating to the uses of unencumbered funds in the schoolhouse fund collected under the levy provided in section 297.5, prior to July 1, 1981, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gratias offered amendment S—3021 filed by the committee on Education on January 26, 1981, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3021 was adopted by a voice vote.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 86) the vote was:

Ayes, 45:

Anderson	Baugher	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Murray
Nystrom	Palmer	Priebe	Ramsey

Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 3:

Bisenius	Holden	Lura
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Absent or not voting, 2:

Deluhery	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

Senate File 87

The Senate resumed consideration of Senate File 87 and amendment S—3030 by Senators Drake and Comito, previously deferred.

Senator Holden offered amendment S—3033 filed by Senators Holden and Comito from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3033 be adopted?" (S.F. 87) the vote was:

Ayes, 22:

Bisenius	Carney	Coleman	Comito
Dreeszen	Gentleman	Hester	Holden
Hulse	Hultman	Husak	Kudart
Lura	Miller, A.V.	Nystrom	Ramsey
Rush	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 25:

Anderson	Baughner	Brown	Carr
Craft	DeKoster	Doyle	Drake
Gallagher	Goodwin	Gratias	Hutchins
Jensen	Junkins	Kinley	Murray

Palmer
Slater
Yenger

Priebe
Small

Readinger
Van Gilst

Rodgers
Wells

Absent or not voting, 3:

Briles

Deluhery

Miller, C.P.

Amendment S—3033 lost.

Senator Holden asked and received unanimous consent to withdraw amendment S—3032 filed by Senators Holden and Comito from the floor to amendment S—3030.

Senator Drake moved the adoption of amendment S—3030 to pages 5 and 6 of the bill, previously deferred.

Amendment S—3030 was adopted by a voice vote.

Senator Craft withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3026 to Senate File 87 was adopted by the Senate on February 2, 1981.

Senator Priebe asked and received unanimous consent that action on **Senate File 87** be **deferred**.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: February 2, 1981, 11:00 a.m.

Members Present: Craft, Chairperson Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Priebe.

Final Bill Action: Senate File 122, a bill for an act relating to the operation and registration fees of motorcycles.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Craft, Readinger, Hester, Holden, Hultman, Lura, Ramsey and Taylor. Nays, 6: Rodgers, Husak, Junkins, Palmer, Rush, and Van Gilst. Absent or not voting, 1: Priebe.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Adjourned: 11:12 a.m.

CONSIDERATION OF BILL

Senator Hultman asked and received unanimous consent to take up for consideration Senate File 122.

Senate File 122

On motion of Senator Murray, Senate File 122, a bill for an act relating to the operation and registration fees of motorcycles, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3018 filed by him on January 26, 1981, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 21.

Amendment S—3018 was adopted.

With the adoption of amendment S—3018, amendment S—3022 filed by Senator Murray on January 26, 1981, to page 1 of the bill, was ruled out of order.

Senator Holden offered amendment S—3019 filed by him on January 26, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3019 was adopted by a voice vote.

Senator Doyle offered amendment S—3025 filed by Senators Doyle and Murray on January 27, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3025 was adopted by a voice vote.

Senator Doyle offered amendment S—3024 filed by Senators Doyle and Drake on January 27, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3024 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that action on **Senate File 122** be **deferred**.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:55 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President pro tempore Ramsey 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 February 2, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 10, a resolution providing for a joint convention on Wednesday, February 4, 1981, for the purpose of greeting and honoring Kathryn Koob.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 10

By: Pope

- 1 *Be It Resolved by the House of Representatives,*
- 2 *The Senate Concurring,* That a joint convention of the
- 3 two houses of the Sixty-ninth General Assembly be held
- 4 on Wednesday, February 4, 1981, at 11:45 a.m., for the
- 5 purpose of greeting and honoring Kathryn Koob.
- 6 *Be It Further Resolved,* That Governor Robert D.
- 7 Ray be invited to present Kathryn Koob to the
- 8 joint convention and that the Speaker of the House of
- 9 Representatives and the President of the Senate be
- 10 designated to deliver the invitation to him.

Read first time and referred to the committee on **Rules and Administration.**

INTRODUCTION OF BILLS

Senate File 155, by Carr, a bill for an act providing for appointment by the board of supervisors of the trustees of a county public hospital.

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

Senate File 156, by Hutchins and Ramsey, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences.

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

Senate File 157, by Committee on County Government, a bill for an act to extend the property tax levy for flood and erosion control to all taxable property outside the corporate limits of a city.

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

Senate File 158, by Committee on County Government, a bill for an act relating to the disposition of unused highway right of way.

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

Senate File 159, by Committee on Transportation, a bill for an act relating to the gross weight and operation of certain multi-axle vehicles and combinations of vehicles subject to penalties provided by law.

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

Senate File 160, by Anderson, a bill for an act providing a tax exemption for property used to treat, store, or dispose of a hazardous waste, effective January 1 following enactment.

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

Senate File 161, by Anderson, a bill for an act relating to unemployment compensation benefits by deducting only certain pension and retirement payments.

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

Senate File 162, by Jensen, a bill for an act relating to requirements for the teaching of students who are non-English-speaking.

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

Senate File 163, by Jensen, a bill for an act providing that law enforcement records and court proceedings concerning children alleged to have committed a delinquent act shall be open to the public.

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

Senate File 164, by Brown, a bill for an act to void rules adopted by the state board of public instruction relating to courses in human relations for teacher certification.

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

Senate File 165, by Schwengels, a bill for an act establishing minimum educational standards and continuing education requirements for persons engaged in business as broker-dealers of securities and persons acting as agents of broker-dealers, with a January 1 effective date.

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

Senate File 166, by Jensen, a bill for an act to prohibit operating a motor vehicle while having a certain percentage of alcohol in the blood, and to apply penalties.

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

Senate File 167, by Jensen, a bill for an act relating to juvenile justice by providing for the adjudication of a truant as a child in need of assistance and by providing that law enforcement records concerning serious offenses shall be open to public inspection and disclosure.

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

Senate File 168, by Gentleman, a bill for an act to permit an adult to execute a directive to order the withholding or withdrawal of life-sustaining procedures when the adult is in a terminal condition.

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

Senate File 169, by Husak, a bill for an act relating to the authority of school districts to levy a tax for public educational and recreational purposes.

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

BUSINESS PENDING

Senate File 87

The Senate resumed consideration of Senate File 87, previously deferred.

Senator Priebe offered amendment S—3034 filed by Senators Priebe and Kinley from the floor to page 4 of the bill and moved its adoption.

Amendment S—3034 was adopted by a voice vote.

Senator Gentleman offered amendment S—3038 filed by her from the floor to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 6, nays 40.

Amendment S—3038 lost.

Senator DeKoster filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3026 to Senate File 87 was adopted by the Senate on February 2, 1981.

The motion prevailed by a voice vote and amendment S—3026 by Senator Craft to page 5 of the bill was taken up for reconsideration.

Senator Craft offered amendment S—3041 filed by Senators Craft and DeKoster from the floor to amendment S—3026 and moved its adoption.

Amendment S—3041 was adopted by a voice vote.

Senator Craft moved the adoption of amendment S—3026 as amended, which motion prevailed by a voice vote.

Senator Comito moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 87) the vote was:

Ayes, 37:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake

Dreeszen	Goodwin	Gratias	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Van Gilst	Waldstein
Wells			

Nays, 12:

Bisenius	Carney	Gallagher	Gentleman
Hester	Holden	Hultman	Lura
Ramsey	Taylor	Tieden	Vande Hoef

Absent or not voting, 1:

Yenger

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

BUSINESS PENDING

Senate File 122

The Senate resumed consideration of Senate File 122, previously deferred.

Senator Rush withdrew amendment S—3035 filed by him from the floor to page 1 of the bill.

Senator Rush offered amendment S—3040 filed by him from the floor to page 1 of the bill.

Senator Kinley raised the point of order that amendment S—3040 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3040 out of order.

Senator Doyle filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3018 to Senate File 122 was adopted by the Senate on February 2, 1981.

The motion prevailed by a voice vote and amendment S—3018 by Senator Doyle to page 1 of the bill was taken up for reconsideration.

Senator Doyle offered amendment S—3037 filed by Senators Doyle and Murray from the floor to amendment S—3018 and moved its adoption.

Amendment S—3037 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—3018 as amended, which motion prevailed by a voice vote.

Senator Junkins asked unanimous consent that action on Senate File 122 be deferred.

Objection was raised by Senator Hultman.

Senator Murray moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 122) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Baughner	Bisenius	Carney	Craft
DeKoster	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Jensen	Kudart	Murray
Nystrom	Readinger	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 24:

Anderson	Brown	Carr	Coleman
Cornito	Deluhery	Doyle	Drake
Gallagher	Husak	Hutchins	Junkins
Kinley	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ramsey	Rodgers
Rush	Slater	Van Gilst	Wells

Absent or not voting, 3:

Briles	Small	Yenger
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The bill not having received a constitutional majority was declared to have failed to pass the Senate.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 122 failed to pass the Senate on February 2, 1981.

RICHARD F. DRAKE

APPENDIX

January 27, 1981

Ms. Linda Mackay
 Secretary of the Senate
 State Capitol Building
 LOCAL

Dear Ms. Mackay:

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

These include 8 claims of a general nature. This supplements our filing of December 22, 1980.

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

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

Receipt of the above is hereby acknowledged.

LINDA HOWARTH MACKAY
 Secretary of the Senate

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
6712-69-25	Doris Svendsen Marshalltown, Iowa Request for retroactive pay	\$ 478.80	Disapproved
6763-69-25	Henry County Memorial Hospital Mt. Pleasant, Iowa Request for payment for services provided to Title XIX recipients	306.00	Disapproved
6781-69-25	Joyce Serbousek Marion, Iowa Missed merit increase	76.00	Disapproved
6841-69-25	Sperry Transportation Company Charles City, Iowa Request for third quarter refund on license fees	1,139.04	Disapproved

6844-69-25	Richard J. Nett Trempealeau, Wisconsin Request for back wages	2,281.95	Disapproved
6851-69-25	Hunt Transportation, Inc. Omaha, Nebraska Requests prorated refund for 1980	1,537.68	Disapproved
6882-69-25	Rosamond Bonnie Adams Red Oak, Iowa Seeks an additional quarter's license refund on her automobile	Undetermined	Disapproved
6911-69-25	Leslie Moding Spencer, Iowa Seeks fuel tax refund	82.00	Disapproved

REPORTS OF INVESTIGATING COMMITTEES

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Mary McNutt, Iowa City, Johnson County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Allan T. Thoms, Dubuque, Dubuque County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Richard L. Timmerman, Jefferson, Greene County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Barbara Tollefson, Storm Lake, Buena Vista County, Iowa, for appointment as a member of the Environmental Quality Commission under the provisions of Chapter 1148, Acts of the Sixty-eighth General Assembly, 1980 Regular Session, for a term beginning January 1, 1981, and ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

FURTHER
REPORT OF COMMITTEE MEETING

TRANSPORTATION*

*A previous report of this meeting was recorded on page 277 of the Senate Journal.

Final Bill Action: Senate File 159, a bill for an act relating to the gross weight and operation of certain multi-axle vehicles and combinations of vehicles subject to penalties provided by law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Drake, Jensen, Coleman, Comito, Bisenius, Doyle, Hutchins and A. Miller; Nays, none. Absent or not voting, 2: Murray and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 2, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: none.

Final Bill Action: Senate File 13, a bill for an act relating to deposit of public funds.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3044.

Final Vote: Ayes, 7: Holden, Baugher, Deluhery, Comito, Craft, DeKoster and Rush. Nays, 3: Husak, Jensen and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 3.

Adjourned: 3:25 p.m.

COUNTY GOVERNMENT

Convened: January 27, 1981, 3:04 p.m.

Members Present: Briles, Chairperson; Waldstein, Vice Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger.

Members Absent: none.

Final Bill Action: Senate File 157, a bill for an act to extend the property tax levy for flood and erosion control to all taxable property outside the corporate limits of a city.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 158, a bill for an act relating to the disposition of unused highway right of way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 3:36 p.m.

EDUCATION

Convened: January 29, 1981, 3:00 p.m.

Members Present: Gratiias, Chairperson, Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Final Bill Action: Senate File 29, a bill for an act relating to the costs of providing a record of teacher contract termination proceedings.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3036.

Final Vote: Ayes, 8: Gratiias, Carney, Anderson, DeKoster, Dreeszen, Jensen, Small and Taylor. Nays, 2: Brown and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved for Senate confirmation, Dianne L.D. Paca as member of the State Board of Public Instruction; accepted subcommittee report to investigate Governor's appointee Jon H. Kneen as a member of the State Board of Public Instruction, with the recommendation that Mr. Kneen appear before the committee on Thursday, February 5, 1981.

Adjourned: 3:30 p.m.

EDUCATION

Convened: February 2, 1981, 1:30 p.m.

Members Present: Gratiias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Final Bill Action: Senate File 50, a bill for an act to advance the date required for the filing of nomination papers for a special election to fill a vacancy on a school board.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gratiias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Sam Wiley from the Department of Public Instruction led discussion of the unexpended cash reserves and the secretary's balance.

Adjourned: 2:17 p.m.

HUMAN RESOURCES

Convened: January 29, 1981, 1:36 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; Carr (arrived 1:38 p.m.), Coleman, Gratiias, Hulse, A. Miller (arrived 1:53 p.m.), Slater and Vande Hoef.

Members Absent: C. Miller, Ranking Member; Drake and Nystrom (excused).

Other Committee Business: Mary Brosnahan and Jim Hennessey, Department of Social Services, presented legislative proposals.

Adjourned: 2:05 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: January 29, 1981, 8:03 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Anderson, Ranking Member; Goodwin, Gratias, Kinley and Wells.

Members Absent: Brown and Hultman.

Other Committee Business: Assigned bills and study bills to subcommittees.

Adjourned: 8:08 a.m.

WAYS AND MEANS

Convened: January 29, 1981, 1:30 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Ramsey, Taylor and Van Gilst.

Members Absent: Rush (excused).

Other Committee Business: Assigned bills to subcommittees; Senator Craft reported on tentative agenda submitted to majority leadership.

Adjourned: 1:40 p.m.

WAYS AND MEANS

Convened: February 2, 1981, 11:00 a.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Priebe.

Final Bill Action: Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Craft, Readinger, Rodgers, Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Ramsey Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 11:12 a.m.

STUDY BILLS RECEIVED

S.S.B. 176 County Government

Relating to the deposit of public funds by officers of political subdivisions of the state.

S.S.B. 177 State Government

Relating to retainage withheld from payment to contractors under contracts for public improvements.

S.S.B. 178 Judiciary

Relating to the tort liability of governmental subdivisions.

S.S.B. 179 Judiciary

Staying proceedings against the state, a state agency, or a state employee when an appeal has been taken from judgment in favor of a claimant under the Iowa tort claims Act.

S.S.B. 180 Judiciary

Proposed statutory changes of the recordkeeping procedures used in clerk of court offices and Supreme Court Clerk's office.

S.S.B. 181 Judiciary

Amending Chapter 99B of the Code with specific reference to legalized bingo.

S.S.B. 182 Judiciary

Increasing the maximum number of district judgeships, and authorizing immediate appointments to fill vacancies.

S.S.B. 183 Judiciary

To prohibit soliciting funds from occupants of vehicles on primary highways subject to a penalty provided by law.

S.S.B. 184 Judiciary

Prohibiting the use of deferred judgments for defendants convicted of violating the provisions of chapter 321.

S.S.B. 185 Judiciary

To allow tort claim actions against the state to be tried before a jury.

S.S.B. 186 Judiciary

An act to regulate business opportunity sales.

S.S.B. 187 Human Resources

Relating to reimbursement to the state from the personal deposit funds of patients at the state mental health institutes or hospital-schools.

S.S.B. 188 Human Resources

Relating to the qualifications of the superintendent of a state mental health institute.

S.S.B. 189 Human Resources

Relating to the employment by the department of social services of child support recovery workers.

S.S.B. 190 County Government

Relating to the administration of the homestead tax credit.

S.S.B. 191 Judiciary

Providing that domestic fire and casualty insurers may engage in certain options transactions.

S.S.B. 192 County Government

Relating to the members of the Iowa beer and liquor control council.

S.S.B. 193 Human Resources

Reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	141	Labor and Industrial Relations
S. F.	142	Transportation
S. F.	143	Commerce
S. F.	144	State Government
S. F.	150	Judiciary
S. F.	151	Education
S. F.	152	Energy

NOTICE OF HEARING

Jon H. Kneen appointed by the Governor to the State Board of Public Instruction will appear before the Senate Education Committee on Thursday, February 5, 1981, at 3:00 p.m., Room 24.

ARTHUR L. GRATIAS, Chairperson

PETITIONS

The following petitions were presented and placed on file by:

Senator Tieden from thirty-nine residents of Allamakee County opposing legislation banning AM-FM radios in school buses.

Senator Rush from eight hundred eight residents of Iowa favoring legislation restricting insurance rates to be determined by the driving record of a private car only.

AMENDMENTS FILED

S-3031	S. F.	144	Edgar H. Holden
S-3032	S. F.	87	Edgar H. Holden Richard Comito
S-3033	S. F.	87	Edgar H. Holden Richard Comito

S—3034	S. F.	87	Berl E. Priebe George R. Kinley
S—3035	S. F.	122	Bob Rush
S—3036	S. F.	29	Education Committee
S—3037	S. F.	122	Donald V. Doyle John S. Murray
S—3038	S. F.	87	Julia Gentleman
S—3039	S. F.	13	Bob Rush
S—3040	S. F.	122	Bob Rush
S—3041	S. F.	87	Rolf V. Craft Lucas J. DeKoster
S—3042	S. F.	130	Lucas J. DeKoster
S—3043	S. F.	13	Edgar H. Holden Berl E. Priebe
S—3044	S. F.	13	Commerce Committee

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:47 p.m., until 9:00 a.m., Tuesday, February 3, 1981.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 3, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Robert Ericson, pastor of the Bethel Lutheran Church, Graettenger, Iowa.

The Journal of Monday, February 2, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Howard Beatty, Creston, Iowa.

INTRODUCTION OF BILL

Senate File 170, by Miller of Des Moines, a bill for an act relating to the payment of salary and expenses of members of the state functional classification review board.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:10 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:12 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and 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 January 29, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 93, a bill for an act relating to the definition of the Higher Education Act of 1965 and providing that the Act will take effect upon its publication.

Also: That the House has on January 29, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 53, a bill for an act providing an exemption from annual licensing and inspection for individuals making less than two thousand dollars per year from baked goods and confectionary items.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 53, a bill for an act providing an exemption from annual licensing and inspection for individuals making less than two thousand dollars per year from baked goods and confectionary items.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 171, by Committee on State Government, a bill for an act providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review or modification.

Read first time and placed on calendar.

Senate File 172, by Committee on State Government, a bill for an act to establish short term liquor licenses and beer permits.

Read first time and placed on calendar.

Senate File 173, by Gallagher, a bill for an act relating to displaying the price of motor vehicle fuel.

Read first time and passed on file.

Senate File 174, by *Gratias*, a bill for an act providing that the name of a child age fourteen or older taken into custody and accused of committing a delinquent act and a description of the alleged act committed is a public record.

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

Senate File 175, by Committee on Ways and Means, a bill for an act updating references to the internal revenue code for purposes of computing individual and corporate income taxes and franchise taxes and making certain provisions of the Act retroactive.

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 58, Senator Hultman called up the appointees recommended by the committee on Rules and Administration to the En Bloc Confirmation Calendar as found on pages 170-171 of the Senate Journal.

Senator Bisenius requested that Kathryn E. Gammack as a member of the State Board of Medical Examiners be removed from the En Bloc Confirmation Calendar and placed on the Individual Confirmation Calendar.

Senator Bisenius withdrew his request.

Senator Bisenius requested that an individual vote be taken on Kathryn E. Gammack as a member of the State Board of Medical Examiners.

Senator Coleman requested that individual votes be taken on Jack L. Dodd, M.D., Rosalie B. Neligh, M.D., Joseph B. Baker, D.O. and Alexander Ervanian, M.D., as members of the State Board of Medical Examiners.

Senator Coleman withdrew his request.

The remaining appointees were taken up for consideration as follows:

Credit Union Review Board:

Michael J. Jackson

Board of Engineering Examiners:

Kathy S. Elliston

Iowa Family Farm Development Authority:

Edward Engstrom
Gene E. Geissinger
Dwight O. Seegmiller
A.J. Walters
M. Linda Nichols
Steven A. Basler
George Schneiderman
John Soorholtz
Lois Schnoor

Occupational Safety and Health Review Commission:

Herbert W. Randels

State Board of Medical Examiners:

Jack L. Dodd, M.D.
Rosalie B. Neligh, M.D.
Joseph B. Baker, D.O.
Alexander Ervanian, M.D.

State Mental Health Advisory Council:

Vera V. French, M.D.
Elwin Farwell, Ph.D.
Richard J. Bealka, M.D.
Margaret E. McDonald
Farrell Reed

State Board of Physical & Occupational Therapy Examiners:

Ferol S. Menzel, Ph.D.
Jean J. Linder
Sharon A. Simmons
Richard J. Davison

Board of Certification of Waterworks & Waste Waterworks Operators

William G. Dirks

Robert W. Tonn
Dick G. Cook

State Board of Psychology Examiners:

Ellen E. Steele

Senator Hultman moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the votes were:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Comito Kinley Murray

The Chair declared the appointments confirmed.

Senator Hultman asked unanimous consent that Kathryn E. Gammack be placed on the Individual Confirmation Calendar.

Senator Hultman withdrew his request.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration Senate File 130.

Senate File 130

On motion of Senator Briles, Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties, was taken up for consideration.

Senator Briles asked and received unanimous consent that Thane Johnson from the Legislative Service Bureau be allowed in the Senate chamber during discussion of the bill.

Senator DeKoster offered amendment S—3047 filed by him from the floor to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 29, nays 16.

Amendment S—3047 was adopted.

Senator DeKoster withdrew amendment S—3042 filed by him on February 2, 1981, to page 14 of the bill.

Senator Brown offered amendment S—3045 filed by him from the floor to page 134 of the bill.

Senator Miller of Des Moines raised the point of order that amendment S—3045 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3045 in order.

Senator Brown moved the adoption of amendment S—3045 and requested a record roll call.

On the question "Shall amendment S—3045 be adopted?" (S.F 130) the vote was:

Ayes, 19:

Anderson	Baughner	Brown	Carr
Coleman	Deluhery	Doyle	Dreeszen
Gallagher	Husak	Junkins	Miller, A.V.
Palmer	Readinger	Rodgers	Rush
Slater	Small	Tieden	

Nays, 27:

Bisenius	Briles	Carney	Craft
DeKoster	Drake	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Hutchins	Jensen	Kudart	Lura
Miller, C.P.	Nystrom	Priebe	Ramsey
Schwengels	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Absent or not voting, 4:

Comito	Gratias	Kinley	Murray
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Amendment S—3045 lost.

Senator Brown withdrew amendment S—3046 filed by him from the floor to page 134 of the bill.

Senator Carr offered amendment S—3051 filed by him from the floor to page 173 of the bill.

Senator Briles rose on a point of parliamentary inquiry to question if amendment S—3051 was adopted, would the bill be referred to the committee on Appropriations under Senate Rule 37.

The Chair advised that he would not render an opinion until, at such time, amendment S—3051 was adopted.

Senator Carr moved the adoption of amendment S—3051.

A non record roll call was requested.

The ayes were 24, nays 22.

Amendment S—3051 was adopted.

Senator Carr offered amendment S—3052 filed by him from the floor to page 180 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 32.

Amendment S—3052 lost.

Senator Hutchins filed the following motion to reconsider from the floor, moved its adoption and requested a record roll call:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3045 to Senate File 130 failed to be adopted by the Senate on February 3, 1981.

On the question "Shall the motion to reconsider be adopted?" (S.F. 130) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Anderson	Baughner	Brown	Carr
Coleman	DeKoster	Deluhery	Doyle
Dreeszen	Gallagher	Husak	Hutchins
Junkins	Miller, A.V.	Palmer	Priebe
Rodgers	Rush	Slater	Small
Van Gilst	Wells		

Nays, 25:

Bisenius	Briles	Carney	Craft
Drake	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Miller, C.P.
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Absent or not voting, 3:

Comito	Kinley	Murray
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The motion lost.

Senator Junkins raised the point of order that Senate File 130 be referred to the committee on Appropriations under Senate Rule 37.

The Chair ruled the point well taken and Senate File 130 was referred to the committee on Appropriations under Senate Rule 37.

APPENDIX**ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE**

President Branstad announced the following appointment to a statutory committee:

PROFESSIONAL AND OCCUPATIONAL REGULATION COMMISSION
(House File 679 68th GA).

Senator Mick Lura to fill the unexpired portion of a term ending June 30, 1983.

STUDY BILLS RECEIVED**S.S.B. 194 Commerce**

Increasing the percentage of value of real property and appurtenances thereto against which insurance companies may acquire mortgages or deeds of trust liens.

S.S.B. 195 Commerce

Amendments to Sections 522.1, 522.2, 522.4, 522.5, and 511.5, licensing of insurance agents.

S.S.B. 196 Commerce

Amend Sections 507A.3, 507A.10, Unauthorized Insurers Act; and 507B.7, insurance trade practices.

S.S.B. 197 Commerce

Relating to exemptions from the Iowa uniform securities Act for cooperative associations, cooperative housing corporations, and mutual or cooperative organizations.

S.S.B. 198 Commerce

Amendments to Sections 87.11, relief from insurance; 502.302(2), filing fee; 510.19, certificate of authority fee; 511.24, fees from foreign companies; 511.25, fees from domestic companies; and 515.128, fees.

S.S.B. 199 County Government

Relating to state mandates imposed on political subdivisions of the state.

S.S.B. 200 Agriculture

To provide for increasing the maximum permissible assessment for the Iowa beef excise tax.

S.S.B. 201 Agriculture

Relating to the exemption of loans made to beginning farmers under the programs of the Iowa Family Farm Development Authority from the restrictions of section 524.905, Code 1981, concerning limitations of loans by banks on real property.

S.S.B. 202 County Government

Relating to the reporting of fruit-tree and forest reservations to the state conservation commission.

S.S.B. 203 County Government

Relating to state and county funding of mental health and mental retardation services.

S.S.B. 204 Natural Resources

Relating to private fish hatcheries.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	4	Ways and Means
S. F.	153	Labor and Industrial Relations
S. F.	154	State Government
S. F.	155	County Government
S. F.	156	Judiciary
S. F.	160	Ways and Means
S. F.	161	Labor and Industrial Relations
S. F.	162	Education
S. F.	163	Judiciary
S. F.	164	Education
S. F.	165	State Government
S. F.	166	Judiciary
S. F.	167	Judiciary
S. F.	168	State Government
S. F.	169	Education

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following Governor's appointments on the EnBloc Calendar on February 3, 1981:

State Board of Barber Examiners—Phyllis L. Henderson

State Board of Cosmetology Examiners—Marlene Donovan

CALVIN O. HULTMAN, Chairperson

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on the morning of February 2, 1981, because of inclement weather.

Had I been present, I would have voted "aye" on Senate Files 58, 80, 86 and 106. I would have voted "nay" on amendment S—3033 to Senate File 87.

PATRICK J. DELUHERY

MR. PRESIDENT: As I was attending a Functional Classification of Roads Meeting in Ames necessitating my absence from the chamber, I missed the following votes:

Had I been in the chamber when votes were taken, I would have voted "aye" on Senate Files 58, 80, 86 and 106 and Senate Resolution 4. I would have voted "nay" on amendment S—3033 to Senate File 87.

CHARLES P. MILLER

REPORTS OF INVESTIGATING COMMITTEES

Pursuant to Senate Rule 58, the Committee on Labor and Industrial Relations assigned to investigate the character and qualifications of Peter L.J. Pashler, Des Moines, Polk County, Iowa, for appointment as a member of the Public Employment Relations Board under the provisions of Section 20.5, 1979 Code of Iowa, for a term beginning July 1, 1980, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS
MERLIN D. HULSE, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Charlotte Mohr, Eldridge, Scott County, Iowa, for appointment as a member of the Iowa Natural Resources Council under the provisions of Section 455A.4, 1981 Code of Iowa, for the unexpired portion

of a term ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 3, 1981, 8:05 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; William Greiner, Iowa Farm Finance Authority, made a presentation; Earl Willits of the Attorney General's Office was also present.

Adjourned: 8:55 a.m.

HUMAN RESOURCES

Convened: February 2, 1981, 3:04 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; Carr, Coleman, Gratijs, Hulse, A. Miller, Nystrom, Slater and Vande Hoef.

Members Absent: C. Miller, Ranking Member (excused) and Drake.

Other Committee Business: Assigned study bills to subcommittees; discussed Senate File 24.

Adjourned: 3:25 p.m.

STATE GOVERNMENT

Convened: January 29, 1981, 3:05 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr (arrived 3:10 p.m.), Drake (arrived 3:11 p.m.), Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels, Tieden and Craft.

Members Absent: none.

Final Bill Action: Senate File 171, a bill for an act providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review on modification.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Drake, Craft, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 172, a bill for an act to establish short term liquor licenses and beer permits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Committee approved subcommittee reports on the following Governor's appointees: Dr. E.J. (Gene) Paul, as a member of the Professional & Occupational Regulation Commission; Richard P. Crawford, Jr., as a member of the Iowa Commission for the Blind and Earl M. Yoder as a member of the Iowa Housing Finance Authority; announced study bill assignments and SSB 84 was withdrawn from further committee consideration.

Adjourned: 3:30 p.m.

WAYS AND MEANS

Convened: February 3, 1981, 1:30 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: none.

Final Bill Action: Senate File 175, a bill for an act updating references to the internal revenue code for purposes of computing individual and corporate income taxes and franchise taxes and making certain provisions of the Act retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Craft, Readinger, Rodgers, Hester, Holden, Junkins, Lura, Palmer, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Voting Present, 2: Priebe and Van Gilst. Absent or not voting, 1: Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:00 p.m.

AMENDMENTS FILED

S-3045	S. F.	130	Joe Brown
S-3046	S. F.	130	Joe Brown
S-3047	S. F.	130	Lucas J. DeKoster
S-3048	S. F.	145	C.W. Bill Hutchins
S-3049	S. F.	152	Mick Lura
S-3050	S. F.	145	Gary L. Baugher
S-3051	S. F.	130	Bob Carr
S-3052	S. F.	130	Bob Carr

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 6:05 p.m., until 9:00 a.m., Wednesday, February 4, 1981.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 4, 1981

The Senate met in regular session at 9:06 a.m., President Branstad presiding.

Prayer was offered by the Reverend Scott Holmes, pastor of the United Methodist Church, Guthrie Center, Iowa.

The Journal of Tuesday, February 3, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joseph Ververka, Prairie City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Comito for today and February 5, 1981, on request of Senator Hultman.

REPORT OF COMMITTEE

RULES AND ADMINISTRATION

Final Bill Action: House Concurrent Resolution 10, a resolution providing for a joint convention to be held February 4, 1981, to honor Kathryn Koob.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hultman, Hulse, Junkins, Holden and Ramsey. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration House Concurrent Resolution 10.

House Concurrent Resolution 10

On motion of Senator Hultman, House Concurrent Resolution 10, a resolution providing for a joint convention on Wednesday, February 4, 1981, for the purpose of greeting and honoring Kathryn Koob, found on page 292 of the Senate Journal, with report of committee recommending passage, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 10, which motion prevailed by a voice vote.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 3, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Earl M. Yoder, Iowa City, Johnson County, Iowa, for reappointment as a member of the Iowa Housing Finance Authority pursuant to Section 220.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

Communication was read and referred to the committee on **Rules and Administration**.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:20 a.m., until 11:45 a.m.

RECONVENED

The Senate reconvened at 11:45 a.m., President Branstad 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 10, 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 10, duly adopted, the joint convention was called to order at 11:45 a.m., President Branstad presiding.

President Branstad declared a quorum present.

Senator Hultman moved that a committee of six, three members from the Senate and three members from the House of Representatives, be appointed to notify Governor Robert D. Ray and Miss Kathryn Koob that the joint convention was ready to receive them.

The motion prevailed by a voice vote and the President appointed as such committee Senators Gallagher, Jensen and Taylor on the part of the Senate, and Representatives Hummel, Renken and Miller on the part of the House.

The justices of the Supreme Court and the judges of the Appellate Court were escorted into the House chamber.

Harold and Elsie Koob of Jesup, Iowa, parents of Kathryn Koob; Vivian Homeyer of Wellsburg, Iowa, and Micki Zeller of Center Harbor, New Hampshire, sisters of Ms. Koob; Mrs. Billie Ray, Mrs. Chris Branstad, Des Moines Mayor and Mrs. Pete Crivaro and Bishop David Brown were escorted into the House chamber.

The committee waited upon Governor Ray and Kathryn Koob and escorted them to the Speaker's station as the Drake Brass Ensemble from Drake University, under the direction of Professor Robert Weast, performed the song "Tie a Yellow Ribbon".

Accompanied by the Drake Brass Ensemble, the joint convention rose to sing the national anthem.

President Branstad gave the following remarks in the introduction of Governor Ray:

Today we have a special guest, a native daughter of our state. One who has returned from over 14 months of captivity in a foreign land. We welcome her home. We all give thanks that she is here—safe, healthy and free.

During these difficult economic times, the gentleman I am about to introduce has a responsibility that has not always been pleasant or enjoyable—but I know that he is delighted with his next responsibility. To introduce our honored guest—the good Governor of the great state of Iowa, Honorable Robert D. Ray.

Governor Ray, in his introduction of Kathryn Koob, made the following remarks:

MR. PRESIDENT, MR. SPEAKER, MAYOR CRIVARO, MEMBERS OF THE LEGISLATURE, STATE OFFICIALS, JUSTICES AND JUDGES, MR. AND MRS. KOOB, VIVIAN HOMEYER, MICKI ZELLER AND BISHOP BROWN:

Katy, there is no better way to say it—welcome home to Iowa!!

You are finally back home where you belong, among people who know you and love you. Not even the snow and icy cold weather can dampen the warmth Iowans feel in their hearts now that you are with us again. We are delighted that you came to Des Moines, our Capitol city, to let us join with you in celebrating your freedom.

This is truly a day for celebration.

I might tell those of you who were not along the motorcade as we came from the airport, that Katy is a good sport. She sat on top of a open convertible car—to say the least, it was a little bit chilly. But she did at one place indicate to me that even at the worst, the Iranian militants never did that to her.

Your arduous ordeal is over, Katy. The 444 long days and longer nights you endured in Iranian captivity are in the past. But we wouldn't want you to leave here today without knowing that, from the very beginning after the Embassy was seized, you have been in our thoughts and in our prayers. We worried about you while you were gone. We did not know how your captors were treating you. We were depressed when a long period of time passed with little news. But we were exhilarated when we finally saw you on T.V. and knew that you were okay.

We observed Easter and two Christmases with you, and there was hardly a dry eye in the state when we watched and listened to you sing "Away in the Manger" last December. You helped us remember the true meaning of Christmas—love, home, family—and how lucky we are to have them.

Sometimes we forget just how long 444 days can be, and how much can happen in that period of time. We conducted the Iowa SHARES relief drive, the Iowa caucuses kicked off a spirited year long political campaign, the Iowa Hawkeye basketball

team went to the final four in the NCAA Tournament, we planted and harvested another bin busting grain crop, and Des Moines got a new 33 story hotel—all in the time between when you were taken prisoner and when you were given your freedom.

You were away from us far too long, but on that day when you were released, all of our pent-up anxiety and frustration came gushing out in one of the most memorable outpouring's of emotion this country has seen. Over the past 15 years, there has been much that has pulled us apart as a people. But finally, here was something that brought us together.

I hope the crowds and the cheering have helped heal the wounds you suffered in Iran. I wonder if you realize just how much you and the other hostages have helped heal the wounds our country has been suffering for so long.

From watching and listening to you on T.V. since your release, it has been clear that your Iowa roots served you well during your captivity.

Your religious faith and your belief in God sustained you through the darkest hours. We now know that your faith also helped your friend, Ann Swift, bear up under the threats of death which she received.

Katy, you exhibited the best qualities that Iowans have to offer, and we couldn't be more proud of you. That is why I have declared this a day of special recognition for you throughout our state, and that is why I want to present you to this Special Joint Convention of the Iowa General Assembly.

Ladies and gentleman, a very special Iowan, Kathryn L. Koob.

Kathryn Koob, a native of Jesup, Iowa, and the only Iowan among the 52 Americans held hostage in Iran for 444 days from November 4, 1979, to January 20, 1981, addressed the joint convention as follows:

I would like to present two even more special Iowans, my Mom and Dad.

I said at the airport I did not think I had any more tears but I do. We are a bit of a "waterworks" family sometimes. We love each other very much. And the separation, of course, was hard on us. But we knew that even if we were apart and could not reach out and touch each other that the love for each other was there, that the care was there and that we would be reunited if not here, in eternity.

It is this knowledge, that I learned as a child in my parents home that kept me going. It is this thing that made it possible for me to walk each day with my Lord. I did not learn it as an adult, I learned it as a child. And I learned it because my parents cared. Cared enough to take me to church, cared enough to teach me about our faith. It is my prayer that every parent in this nation would care enough to teach their children to believe. To believe in God and his power and what he can do for them.

I want to say thank you again because I can never say thank you often enough to all

the people here that supported me in their prayers, their letters and who supported my family by visiting them; the press by respecting their wish for privacy; by writing to them, by talking to them, by reaching out to touch them.

I want to thank you for the support you gave all the rest of the hostages while we were being held in Tehran. There is no way we can say thank you often enough or deeply enough because without your support, which we knew was there even though the students were telling us that the United States did not care, that the United States government was stopping our mail to drive us crazy, that the story had been forgotten, that the election could not matter with our release. We knew you were out here, but let me tell you, we had no idea how firmly you were behind us. This has been a revelation coming back to this country to see everyone, black, white, old, young, men, women united. United to stand up for America with dignity and with pride.

Newsmen, when they asked me what I was going to talk about today, asked if I was going to talk about freedom. I told them I did not know. I have been a little busy, but I made some notes on the plane this morning and I decided the thing I wanted to talk about was responsibility.

Responsibility is tremendously important and during this past 14 months, I had an opportunity to see a nation try and function where no one was willing to accept individual responsibility. People tried, even before I was taken when they were talking with me, to dodge responsibilities because they were not sure of what was going to happen next week. Thank God, I grew up in a country where as a child I was taught responsibility. Where I was taught to make a choice and accept what happened as a result of a decision that I made. Now, responsibility is not an easy thing to learn. It is not easy to develop responsibility. It is much more fun immediately to go along with the crowd. I will never forget my Dad telling me when I said "But everybody is doing it", "I suppose if everybody jumped off the Cedar River bridge, you would jump too?" Well, at the time I thought that was sort of a silly answer. I see the wisdom of it now. I would also urge everyone that is in a responsible position—there is that word again, responsible—to make the most of every opportunity to teach responsibility to our junior citizens. To help them learn the decision-making process so that when they are faced with a choice they will think and respond responsibly.

It is not easy to make a decision and sometimes it is even less easy to live with the results of that decision. But if you have had a chance to exercise decision in small areas, it is not quite as difficult when it comes to making a decision when you are older. It is from the strength of this assumption of responsibility that freedom comes.

It is not freedom as was the case in Iran when, after the revolution, people would drive down one-way streets the wrong way shouting, "Ahzahdi, Ahzahdi" which is Iranian for freedom. It is not freedom when it infringes on others' rights and there is an element of responsibility that comes there when one makes the decision to act in a responsible way so that it does not infringe on the rights of others. Only with responsible action, can freedom come. The real freedom. The freedom that lets us know we can make a decision because our colleagues will make a decision that will support that responsible decision. I had to make a decision. I didn't realize it was

going to mean that I was going to spend 14 months sitting in one room but when the time came, I didn't have to think about it. I had a job to do and I did my job. The people at the embassy, who sat there for 14 months and with me told our Iranian captors that we would be willing to sit there for 10 years or 15 years because the United States could not be held up for blackmail, made that same decision. It was a responsible decision not to fire, to order the marine guards to hold their fire, to use only tear gas. But because of early training, these decisions came naturally.

It is great to live in a country where responsibility is a way of life. And where responsibility leads to freedom of choice that means the best life for a great number of people. It means active in love and concern and care. How many times have I heard the word "concern" during the past 14 months. We were concerned about you. Let people know that our concern is for you. Our love is for you. These things come with the acceptance of responsibility. Our strength in this situation as a nation came from our resilience, from our adaptability, from our inner resources—not from the number of planes we could put in the air, not from the arms that we have. It had to come from within and even though we have been torn apart over many issues over the past 15 years, we showed once more that responsibility, love, and concern when joined together, would make us a free nation and would bring us home free Americans.

Thank you.

Governor Ray presented the Governor's Medal of Valor to Ms. Koob, preceded with the following remarks:

Not all of you may know the exact circumstances that surrounded Kate Koob's capture by the Iranian militants.

Unlike most of the American diplomats, Kate was not assigned inside the embassy compound itself but rather was stationed at the Iranian-American Culture Center. As a result, when the Iranian students stormed the embassy, Kate was not immediately affected. She was able to stay in contact with the embassy by phone relaying reports of the situation during those initial, critical hours, to the State Department in Washington. When she was captured, she was in the process of making one of those reports and we now know that the Iranians held her prisoner when they released most of the women hostages because of those important phone calls. Kathryn Koob had a choice between the time the embassy was attacked and the time the militants seized her. She could have abandoned her comrades and sought to save herself but she did not. At the critical moment, she decided to place herself in jeopardy in order to try to help her colleagues and fellow Americans. We now know that it was this action that resulted in her isolation. Such sacrifice, we believe, should not go unrecognized. So, therefore, I am presenting today to Kathryn Koob, the Governor's Medal of Valor. Your willingness, Kate, to endanger yourself in order to aid your friends is in the highest traditions of this state and our people. You are indeed a woman to be admired.

President Branstad presented Ms. Koob with a 22K gold charm of the Iowa State Capitol from the Sixty-ninth Iowa General Assembly. It was inscribed as follows:

"Freedom
1981
69th GA"

President Branstad, on behalf of the Senate Pages, presented Ms. Koob with a welcoming message scroll.

Speaker Stromer presented Ms. Koob with a framed enrolled copy of House Concurrent Resolution 10, duly adopted by the Senate and House of Representatives, which called for the joint convention to greet and honor Kathryn Koob.

The joint convention, led by Senators Carney and Hester and accompanied by the Drake Brass Ensemble, sang one verse of "America the Beautiful".

The benediction was given by Bishop David Brown, Iowa Bishop of the American Lutheran Church.

As Governor Ray and Kathryn Koob were being escorted from the House chamber by the committee previously appointed, the House Pages sang the song "K-K-Ka-Katy".

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

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Ramsey presiding.

RECESS

On motion of Senator Hultman, the Senate recessed at 1:00 p.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: February 4, 1981, 3:45 p.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman,

Jensen, Junkins, Ramsey, Rush, Schwengels, Slater, Van Gilst, Waldstein and Yenger.

Members Absent: Small.

Final Bill Action: Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 18: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush, Schwengels, Slater, Van Gilst, Waldstein and Yenger. Nays, none. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 3:55 p.m.

CONSIDERATION OF BILL

Senator Hultman asked and received unanimous consent to take up for consideration Senate File 130.

Senate File 130

On motion of Senator Miller of Des Moines, Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Nystrom took the chair at 4:20 p.m.

Senator Kinley asked unanimous consent that action on Senate File 130 be deferred.

Senator Kinley withdrew his request.

Senator Kinley asked and received unanimous consent that action on **Senate File 130** be deferred.

REFERRED TO COMMITTEE

The Chair announced that **Senate File 157** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	170	State Government
S. F.	173	Commerce
S. F.	174	Judiciary

STUDY BILLS RECEIVED

S.S.B. 205 Judiciary

An Act requiring sentencing judge and prosecuting attorney to provide parole board with certain information.

S.S.B. 206 Natural Resources

An Act to revise the regulation of land disturbing activities.

S.S.B. 207 Energy

An Act exempting coal mined in Iowa and held as inventory by an electric utility from property taxation.

S.S.B. 208 Energy

An Act exempting the gross receipts from the sale or rental of mining equipment to be used within the state from the state sales tax.

S.S.B. 209 Energy

An Act providing that passive solar energy systems added as improvements to buildings shall not increase the actual assessed and taxable value of the property for designated assessment years.

REPORT OF INVESTIGATING COMMITTEE

Pursuant to Senate Rule 58, the Committee on Education assigned to investigate the character and qualifications of Dianne L.D. Paca, Garner, Hancock County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of Section 257.1, 1979 Code of Iowa, for a term beginning January 2,

1980, and ending April 30, 1986, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON EDUCATION
ARTHUR L. GRATIAS, Chairperson

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 3, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Subcommittee approved and submitted bill concerning FY 81 budget reductions to full Appropriations Committee; overview of corrections by Commissioner Reagen.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 3, 1981, 9:25 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Nystrom and Hutchins.

Members Absent: none.

Other Committee Business: Made final decisions on items of the current budgets of the Commission for the Blind, DPI, Board of Regents, IPBN, and AEA's.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 3, 1981, 9:30 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Discussed recommended budget cuts for the Department of Health budget and proposed bill drafts.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 3, 1981, 9:25 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Iowa Development Commission.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 3, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: The proposed appropriations bill decreasing the salary adjustment fund was adopted by the committee and referred to the full Appropriations Committee; representatives from the Real Estate Commission, Credit Union Department and Engineering Examiners Board appeared before the committee to present their budget requests; discussion and recommendations followed.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 3, 1981, 9:30 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft (arrived 10:40 a.m.) and Vande Hoef.

Members Absent: none.

Other Committee Business: Don Kassar, Medical Services, DSS, presented overview of Title XIX; Roger Herr, Bureau of Financial Assistance, DSS, gave presentation on I.E.T.P.; voted on Remedial Eye program, Licensing Child Day Care Centers, and ADC—Unemployed Parent.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 3, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor and Wells.

Members Absent: Lura (excused).

Other Committee Business: Voted on proposed committee bill to reduce appropriations.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 3, 1981, 9:40 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Approved LSB 1417S; presentations by the Iowa Highway Patrol and DCI divisions of the Department of Public Safety regarding FY 82 and FY 83.

Adjourned: 11:50 a.m.

JUDICIARY

Convened: February 3, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Deluhery, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor.

Members Absent: Carr, Coleman and Murray.

Other Committee Business: Assignment of bills to subcommittees.

Adjourned: 3:20 p.m.

TRANSPORTATION

Convened: February 3, 1981, 1:35 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Doyle, Hutchins, A. Miller and Nystrom.

Members Absent: Comito and Murray.

Other Committee Business: Presentation by Les Holland and Ian MacGillivray from the Department of Transportation.

Adjourned: 2:40 p.m.

AMENDMENT FILED

S—3053 S. F. 145 Richard F. Drake

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Thursday, February 5, 1981.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 5, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend Michael Hess, President of Dowling High School, Des Moines, Iowa.

The Journal of Wednesday, February 4, 1981, was approved.

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 February 3, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a resolution supporting the claims of ownership of Iowa lands brought by the Monona County Land Association in its endeavor to maintain ownership of the Iowa claimants to land that is subject to litigation.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 6

By: Johnson of Woodbury and Crabb

- 1 *Whereas*, in the litigation of Wilson et al. v. Omaha
- 2 Indian Tribe et al. the federal courts have imposed
- 3 a discriminatory burden of proof upon the Iowa claimants;
- 4 and
- 5 *Whereas*, the Iowa claimants are claiming titles which
- 6 trace back to state and federal patents; and
- 7 *Whereas*, the Iowa claimants and their predecessors
- 8 in title have paid property taxes on the land which is
- 9 the subject of this litigation for many years, sometimes
- 10 in excess of one hundred years; and
- 11 *Whereas*, the state of Iowa is one of the Iowa
- 12 claimants in this litigation; *Now Therefore*,
- 13 *Be It Resolved by the House of Representatives, the*

14 *Senate Concurring*, That the state of Iowa should support
15 the efforts of the Monona County Land Association in its
16 endeavor to maintain the claims of ownership of the Iowa
17 claimants to the land that is the subject of this liti-
18 gation.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:12 a.m., until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 176, by Ramsey, Briles and Rodgers, a bill for an act relating to trapping restrictions.

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

Senate File 177, by Committee on Commerce, a bill for an act relating to the liability of the industrial loan guaranty fund for acts and omissions of the auditor of state.

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

Senate File 178, by Junkins, a bill for an act changing certain penalties relating to the acquisition of controlled substances and applications, records, reports, or other documents regarding controlled substances.

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

Senate File 179, by Junkins, a bill for an act creating a department of corrections, prescribing its powers and duties, appropriating moneys, providing penalties, and providing a January 1 effective date.

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

Senate File 180, by Holden, Priebe and Tieden, a bill for an act to void an administrative rule of the Iowa state board of engineering examiners which requires a plat be drawn for every property survey.

Read first time and passed on file.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 3, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Kathryn Gammack, Des Moines, Polk County, Iowa, for reappointment as a member of the State Board of Medical Examiners pursuant to Section 147.14(2), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

Communication was read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 5

By: DeKoster

- 1 *Whereas*, Iowa has historically been among the
- 2 states which recognize contributory negligence as
- 3 a defense in tort action; and
- 4 *Whereas*, the defense of contributory negligence
- 5 has been in existence in Iowa for many years; and
- 6 *Whereas*, other states are repealing laws which
- 7 provide for the defense of contributory negligence
- 8 and they are replacing such defense with the doctrine
- 9 of comparative negligence; and
- 10 *Whereas*, the Supreme Court has upheld the defense
- 11 of contributory negligence but by decreasing margins
- 12 and has nevertheless been critical of the General
- 13 Assembly for not studying the issue of contributory
- 14 versus comparative negligence and making recommenda-
- 15 tions; and
- 16 *Whereas*, tort law is complex in its variations

17 and the matter of comparative negligence as opposed
18 to contributory negligence has many ramifications in
19 tort law that should be carefully considered; *Now*
20 *Therefore,*
21 *Be It Resolved by the Senate, the House Concurring,*
22 That the legislative council is urged to establish a
23 joint subcommittee of the committees on judiciary to
24 study the matter of comparative negligence and con-
25 tributory negligence as they apply to the broad spectrum
26 of tort law in Iowa, during the interim between this
27 General Assembly's first and second sessions; and
28 *Be It Further Resolved,* That the members of the
29 joint subcommittee shall consist of members of both
30 houses representing both political parties and the

Page 2

1 subcommittee may call upon experts in the field of
2 tort liability as well as other knowledgeable
3 persons to assist it in its study and shall submit
4 periodic reports and a final report to the legislative
5 council and members of the General Assembly, which
6 report shall contain bill drafts designed to carry out
7 the recommendations of the subcommittee.

Read first time and passed on file.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 61

State Government
Drake, Chairperson
Briles
Gallagher

SENATE FILE 124

Ways and Means
Craft, Chairperson
Rodgers
Readinger

SENATE FILE 128

County Government
Brown, Chairperson
Hester
Vande Hoef

SENATE FILE 134

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 137

Ways and Means
Holden, Chairperson
Hester
Priebe

SENATE FILE 139

Ways and Means
Craft, Chairperson
Hultman
Rush

SENATE FILE 143

Commerce
Baugher, Chairperson
Craft
Husak

SENATE FILE 121

Judiciary
Dreeszen, Chairperson
Doyle
Kudart

SENATE FILE 127

State Government
Nystrom, Chairperson
Schwengels
Slater

SENATE FILE 129

Ways and Means
Lura, Chairperson
Van Gilst
Hester

SENATE FILE 136

Ways and Means
Holden, Chairperson
Hester
Palmer

SENATE FILE 138

Labor and Industrial Relations
Gratias, Chairperson
Hultman
Brown

SENATE FILE 141

Labor and Industrial Relations
Gratias, Chairperson
Hulse
Anderson

SENATE FILE 146

State Government
Drake, Chairperson
Schwengels
Nystrom
Slater
Carr

SENATE FILE 150

Judiciary
Rush, Chairperson
Carr
Dreeszen

SENATE FILE 153

Labor and Industrial Relations
Hultman, Chairperson
Goodwin
Wells

SENATE FILE 156

Judiciary
Coleman, Chairperson
Ramsey
Kudart

SENATE FILE 163

Judiciary
Murray, Chairperson
Deluhery
Small

SENATE FILE 166

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 168

State Government
Briles, Chairperson
Schwengels
Hutchins

SENATE FILE 172

State Government
Drake, Chairperson
Schwengels
Nystrom
Slater
Carr

SSB 43

State Government
Lura, Chairperson
Gentleman
Slater

SENATE FILE 152

Energy
Bisenius, Chairperson
Doyle
Briles

SENATE FILE 154

State Government
Gallagher, Chairperson
Briles
Craft

SENATE FILE 161

Labor and Industrial Relations
Anderson, Chairperson
Carney
Goodwin

SENATE FILE 165

State Government
Nystrom, Chairperson
Lura
Palmer

SENATE FILE 167

Judiciary
Murray, Chairperson
DeKoster
Rush

SENATE FILE 171

State Government
Drake, Chairperson
Schwengels
Nystrom
Slater
Carr

SENATE RESOLUTION 5

Rules and Administration
Hultman, Chairperson
Holden
Junkins

SSB 61

Agriculture
Taylor, Chairperson
Hulse
Hutchins

SSB 63

State Government
Tieden, Chairperson
Schwengels
C. Miller

SSB 91

Natural Resources
Rodgers, Chairperson
Van Gilst
Goodwin

SSB 93

Natural Resources
Van Gilst, Chairperson
Schwengels
Hutchins

SSB 152

Ways and Means
Lura, Chairperson
Van Gilst
Hester

SSB 154

Natural Resources
Gallagher, Chairperson
Gentleman
Goodwin

SSB 156

Labor and Industrial Relations
Goodwin, Chairperson
Hultman
Kinley

SSB 158

Labor and Industrial Relations
Carney, Chairperson
Hulse
Wells

SSB 164

Education
Brown, Chairperson
Taylor
Wells

SSB 166

Education
Carney, Chairperson

SSB 90

Natural Resources
Goodwin, Chairperson
Hutchins
Kudart

SSB 92

Natural Resources
Kudart, Chairperson
Gallagher
Hutchins

SSB 144

Natural Resources
Hutchins, Chairperson
Tieden
Gentleman

SSB 153

Natural Resources
Gentleman, Chairperson
Gallagher
Schwengels

SSB 155

Labor and Industrial Relations
Carney, Chairperson
Hulse
Wells

SSB 157

Labor and Industrial Relations
Carney, Chairperson
Hulse
Wells

SSB 163

Education
Small, Chairperson
Dreeszen
Jensen

SSB 165

Education
Dreeszen, Chairperson
DeKoster
Brown

SSB 173

Commerce
DeKoster, Chairperson

Anderson
Jensen

Comito
Priebe

SSB 174

State Government
Drake, Chairperson
Nystrom
Schwengels
Slater
Carr

SSB 175

Education
Anderson, Chairperson
DeKoster
Taylor

SSB 176

County Government
Vande Hoef, Chairperson
Brown
Hester

SSB 178

Judiciary
Murray, Chairperson
Baugher
Carr

SSB 179

Judiciary
Kudart, Chairperson
Doyle
Dreeszen

SSB 180

Judiciary
Small, Chairperson
Deluhery
Baugher

SSB 181

Judiciary
Baugher, Chairperson
Lura
Rush

SSB 182

Judiciary
Rush, Chairperson
Coleman
Murray

SSB 183

Judiciary
Carr, Chairperson
Ramsey
Small

SSB 184

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SSB 185

Judiciary
Kudart, Chairperson
Rush
Baugher

SSB 186

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SSB 187

Human Resources
Gentleman, Chairperson
Vande Hoef
C. Miller

SSB 188

Human Resources
Gentleman, Chairperson
Vande Hoef
C. Miller

SSB 189

Human Resources

SSB 190

County Government

Vande Hoef, Chairperson
Nystrom
Gentleman

SSB 191

Judiciary
Kudart, Chairperson
Deluhery
Lura

SSB 193

Human Resources
Gentleman, Chairperson
Vande Hoef
C. Miller

SSB 195

Commerce
DeKoster, Chairperson
Comito
Rush

SSB 197

Commerce
DeKoster, Chairperson
Comito
Rush

SSB 199

County Government
Priebe, Chairperson
Goodwin
Hester

SSB 201

Agriculture
Hutchins, Chairperson
A. Miller
Vande Hoef

SSB 203

County Government
C. Miller, Chairperson
Brown
Vande Hoef

SSB 205

Judiciary
Doyle, Chairperson
Dreeszen
Rush

Waldstein, Chairperson
Goodwin
Brown

SSB 192

County Government
Briles, Chairperson
Priebe
C. Miller

SSB 194

Commerce
DeKoster, Chairperson
Comito
Rush

SSB 196

Commerce
DeKoster, Chairperson
Comito
Rush

SSB 198

Commerce
DeKoster, Chairperson
Comito
Rush

SSB 200

Agriculture
Hester, Chairperson
Dreeszen
Van Gilst

SSB 202

County Government
Priebe, Chairperson
Vande Hoef
Goodwin

SSB 204

Natural Resources
Rodgers, Chairperson
Gentleman
Schwengels

SSB 207

Energy
Yenger, Chairperson
Gallagher
Kudart

SSB 208

Energy
Yenger, Chairperson
Gallagher
Kudart

SSB 209

Energy
Readinger, Chairperson
Rodgers
Ramsey

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's reappointment to a standing committee for investigation:

Iowa Housing Finance Authority—Earl Yoder—State Government Committee

CALVIN O. HULTMAN, Chairperson

REPORTS OF COMMITTEE MEETINGS

**APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND
MENTAL HEALTH**

Convened: February 4, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Reviewed population projects for corrections systems; discussed overview of Ft. Madison programs and policies that affect population.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 4, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Presentation was made by Tom Tiemeier, Director of Financial Aid for the Palmer School of Chiropractic; 1982-83 budget askings were presented by Willis Ann Wolff, Director of College Aid Commission and Gary Nichols, Director of Scholarships and Grants for the Commission.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 4, 1981, 9:20 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Beautician/barber inspectors appeared before the committee; discussion on chronic renal disease program.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 4, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Iowa State Fair Board.

Adjourned: 10:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 4, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Maurice Baringer, Treasurer of State; Lawrence Ragan, John Rossi and Mary Olson, Occupational Safety & Health Review Commission, appeared to present their budget requests; discussion and recommendations followed.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 4, 1981, 9:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Voted on tentative budget recommendations.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 4, 1981, 9:40 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member (arrived 10:15 a.m.); Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Presentations by State Fire Marshal's Division; Communications Division and Administration Division of the Department of Public Safety.

Adjourned: 11:27 a.m.

COMMERCE

Convened: February 4, 1981, 1:45 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Craft, DeKoster, Husak and Rush.

Members Absent: Comito, Jensen and Priebe.

Final Bill Action: Senate File 177, a bill for an act relating to the liability of the industrial loan guaranty fund for acts and omissions of the auditor of state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Holden, Baugher, Deluhery, Craft, DeKoster, Husak and Rush. Nays, none. Absent or not voting, 3: Comito, Jensen and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved study bills.

Adjourned: 2:15 p.m.

ENERGY

Convened: February 4, 1981, 1:35 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson (arrived 1:45 p.m.); Gallagher, Ranking Member; Anderson, Briles, Doyle, Readinger, Rodgers and Yenger.

Members Absent: Kudart.

Other Committee Business: Assigned bills to subcommittees; presentation by Ray Fisher regarding the Coal Utilization Review Board.

Adjourned: 2:35 p.m.

HUMAN RESOURCES

Convened: February 5, 1981, 1:31 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson (arrived 1:34 p.m.); C. Miller, Ranking Member; Coleman (arrived 1:36 p.m.), Drake, Gratias, Hulse, A. Miller (arrived 1:38 p.m.), Slater and Vande Hoef.

Members Absent: Carr and Nystrom.

Final Bill Action: Senate File 24, a bill for an act relating to the requirement that plans and specifications for new health care facilities and remodeling of or additions to existing health care facilities be submitted to the department of health for preliminary inspection and approval or recommendations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3055.

Final Vote: Ayes, 9: Gentleman, Yenger, C. Miller, Coleman, Drake, Gratias, Hulse, A. Miller and Vande Hoef. Nays, none. Absent or not voting, 3: Carr, Nystrom and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:44 p.m.

JUDICIARY

Convened: February 4, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Carr, Coleman, Deluhery, Dreeszen, Lura, Murray, Ramsey, Taylor, Doyle, Baugher (arrived 3:15 p.m.) and Small (arrived 3:15 p.m.).

Members Absent: none.

Other Committee Business: Approved SSB 123 and SSB 131 for final draft; assigned bills to subcommittees.

Adjourned: 3:55 p.m.

NATURAL RESOURCES

Convened: February 4, 1981, 8:00 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden and Hutchins.

Members Absent: Gallagher and Rodgers (excused).

Other Committee Business: Assigned bills to subcommittees; discussed and use.

Adjourned: 8:10 a.m.

BILL ASSIGNED TO COMMITTEE

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

H.F. 53 Agriculture

STUDY BILLS RECEIVED

S.S.B. 210 County Government

Relating to honoring county warrants.

S.S.B. 211 Judiciary

To correct erroneous, inconsistent and obsolete provisions of the Code.

S.S.B. 212 Commerce

Relating to the duties of the statutory committee composed of the superintendent of banking, the commissioner of insurance, and the treasurer of state with respect to establishing the interest rates on public deposits and obligations.

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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 5th day of February, 1981.

Senate File 93.

LINDA HOWARTH MACKAY
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery on February 4, 1981:

Ten students from Meredith Junior High School, Des Moines, Iowa, accompanied by Pat Ramsey and Brian Trampling. Senator Readinger.

AMENDMENTS FILED

S—3054	S. F.	130	George R. Kinley Bob Rush
S—3055	S. F.	24	Human Resources Committee
S—3056	S. F.	13	Bob Rush

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 3:20 p.m., until 10:00 a.m., Monday, February 9, 1981.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 9, 1981

The Senate met in regular session at 10:07 a.m., President Branstad presiding.

Prayer was offered by the Reverend Lloyd McDonald, pastor of the Honey Creek-New Providence Friends Church, New Providence, Iowa.

The Journal of Thursday, February 5, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Kelly Bast, Resident at Iowa Lutheran Hospital, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Carr and Hutchins for the day and Senator Slater for the morning session on request of Senator Junkins; Senator Comito for the day on request of Senator Hultman.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 6

By: Craft, Gentleman, Hultman, Junkins, Anderson, Baugher, Bisenius, Briles, Brown, Carney, Carr, Coleman, Comito, DeKoster, Deluhery, Doyle, Drake, Dreeszen, Gallagher, Goodwin, Gratias, Holden, Hulse, Husak, Hutchins, Jensen, Kinley, Kudart, Miller of Cerro Gordo, Miller of Des Moines, Murray, Nystrom, Palmer, Priebe, Ramsey, Readinger, Rodgers, Rush, Schwengels, Slater, Small, Taylor, Tieden, Vande Hoef, Van Gilst, Waldstein, Wells and Yenger.

- 1 *Whereas*, the year 1981 has been designated by the
- 2 United Nations, the United States government, and the
- 3 Governor of Iowa Robert D. Ray, as the International
- 4 Year of Disabled Persons; and
- 5 *Whereas*, one of the purposes of declaring 1981 as
- 6 the International Year of Disabled Persons is to encour-

7 age greater opportunities and participation of persons
 8 with disabilities into the mainstream of community
 9 life; and
 10 *Whereas*, the members of the General Assembly encour-
 11 age the utilization of the abilities and potential of all
 12 Iowa citizens, especially those persons who may be
 13 disabled; *Now Therefore*,
 14 *Be It Resolved by the Senate, the House Concurring*,
 15 That the General Assembly encourages all citizens to join
 16 the activities of commemorating 1981 as the International
 17 Year of Disabled Persons; and
 18 *Be It Further Resolved*, That the General Assembly
 19 direct public agencies and encourage all private agencies
 20 and groups to work towards providing settings which are
 21 barrier-free for disabled persons and establish communica-
 22 tion services for persons with sensory disabilities in
 23 order that persons with disabilities can be actively
 24 sought and recruited to participate in all meetings and
 25 committees available to all citizens of this state.

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

INTRODUCTION OF BILL

Senate File 181, By Dreeszen, Waldstein, Baugher, Hester, Hulse and Goodwin, a bill for an act to delay increases in annual salaries for members of the general assembly and the lieutenant governor.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 1

On motion of Senator Rush, Senate File 1, a bill for an act relating to the limitation on garnishment, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 1** be **deferred**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 146.

Senate File 146

On motion of Senator Drake, Senate File 146 a bill for an act relating to procedures for construction, repair and improvement of public buildings, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 146) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Jensen	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Carr	Coleman	Comito	Hutchins
Kinley	Slater		

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

Senate File 147

On motion of Senator Drake, Senate File 147, a bill for an act to eliminate the requirement of publication of a synopsis of the annual report of insurance companies doing business in this state, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 147) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Jensen	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Carr	Coleman	Comito	Hutchins
Kinley	Slater		

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

BUSINESS PENDING

Senate File 1

The Senate resumed consideration of Senate File 1, previously deferred.

Senator Anderson offered amendment S—3057 filed by him from the floor to page 1 of the bill.

Senator Palmer asked and received unanimous consent that action on amendment S—3057 and **Senate File 1** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 148

On motion of Senator Drake, Senate File 148, a bill for an act to allow monthly refunding of motor vehicle registration reciprocity fees, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 148) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Husak	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 1:

Gallagher

Absent or not voting, 8:

Carr	Coleman	Comito	Holden
Hutchins	Kinley	Palmer	Slater

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

Senator Hultman asked and received unanimous consent to take up out of order Senate File 13.

Senate File 13

On motion of Senator Holden, Senate File 13, a bill for an act relating to deposit of public funds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Holden offered amendment S—3044 filed by the committee on Commerce on February 2, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3044 was adopted by a voice vote.

Senator Rush offered amendment S—3039 filed by him on February 2, 1981, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3039 be adopted?" (S.F. 13) the vote was:

Ayes, 18:

Anderson	Bisenius	Carney	DeKoster
Doyle	Dreeszen	Gallagher	Gentleman
Miller, C.P.	Murray	Palmer	Readinger
Rodgers	Rush	Small	Vande Hoef
Waldstein	Wells		

Nays, 25:

Baughner	Briles	Brown	Craft
Deluhery	Drake	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Jensen	Junkins	Kudart
Lura	Nystrom	Priebe	Ramsey
Schwengels	Taylor	Tieden	Van Gilst
Yenger			

Absent or not voting, 7:

Carr	Coleman	Comito	Hutchins
Kinley	Miller, A. V.	Slater	

Amendment S—3039 lost.

Senator Holden offered amendment S—3043 filed by Senators Holden and Priebe on February 2, 1981, to the title page of the bill.

Senator Rush withdrew amendment S—3056 filed by him on February 5, 1981, to amendment S—3043.

Senator Holden moved the adoption of amendment S—3043 and requested a record roll call.

On the question "Shall amendment S—3043 be adopted?" (S.F. 13) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	DeKoster	Deluhery

Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Jensen
Junkins	Kudart	Lura	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 2:

Craft	Gallagher
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Absent or not voting, 7:

Carr	Coleman	Comito	Hutchins
Kinley	Miller, A.V.	Slater	

Amendment S—3043 was adopted.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 13) the vote was:

Ayes, 37:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Craft	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Holden	Hulse
Hultman	Junkins	Kudart	Lura
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Small	Taylor
Tieden	Van Gilst	Waldstein	Wells
Yenger			

Nays, 6:

DeKoster	Gallagher	Hester	Husak
Jensen	Vande Hoef		

Absent or not voting, 7:

Carr	Coleman	Comito	Hutchins
Kinley	Miller, A.V.	Slater	

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

Senator Hultman asked and received unanimous consent to take up out of order Senate File 50.

Senate File 50

On motion of Senator Jensen, Senate File 50, a bill for an act to advance the date required for the filing of nomination papers for a special election to fill a vacancy on a school board, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 50) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Carr	Coleman	Comito	Hutchins
Jensen	Kinley	Slater	

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

Senate File 158

On the motion of Senator Wells, Senate File 158, a bill for an act relating to the disposition of unused highway right of way, was taken up for consideration.

Senator Wells moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 158) the vote was:

Ayes, 44:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Jensen	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Carr	Coleman	Comito	Hutchins
Kinley	Slater		

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

Senate File 159

On motion of Senator Drake, Senate File 159, a bill for an act relating to the gross weight and operation of certain multi-axle vehicles and combinations of vehicles subject to penalties provided by law, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 159) the vote was:

Ayes, 43:

Anderson	Baugher	Bisenius	Brown
Carney	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher

Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Briles	Carr	Coleman	Comito
Hutchins	Kinley	Slater	

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

RECESS

On motion of Senator Hultman, the Senate recessed at 11:50 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 182, by Tieden, a bill for an act relating to the location for hearings regarding a proposed gas line, gas storage facility, or electric transmission line.

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

Senate File 183, by Nystrom, a bill for an act providing that optometrists and physicians shall be reimbursed or indemnified on an equal basis for vision services provided and adopting penalties.

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

Senate File 184, by Yenger, Wells, Briles, Readinger, Carr and Slater, a bill for an act relating to the deduction of pension and retirement payments from unemployment compensation benefits.

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

Senate File 185, by Doyle, a bill for an act to allow a state individual income tax deduction to a taxpayer for expenses incurred for caring for a parent or grandparent of the taxpayer or the taxpayer's spouse in the home of the taxpayer with a January 1 effective date.

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

Senate File 186, by Schwengels, a bill for an act transferring the state demographic center from the office for planning and programming to the state library department.

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

Senate File 187, by Schwengels, a bill for an act to exempt certain interest income from the state individual income tax with a January 1 effective date.

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

Senate File 188, by Rodgers, a bill for an act relating to county revenue by increasing or providing for certain county fees and taxes and requiring registration for boats and snowmobiles to be applied for when purchased from a dealer.

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

Senate File 189, by Schwengels, a bill for an act requiring the state department of health to establish minimum comfort levels for health care facilities.

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

Senate File 190, by Schwengels, a bill for an act requiring all publications prepared by a state agency for distribution to the public to state the cost of preparation, printing, and the estimated cost of distribution on the publication.

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

Senate File 191, by Murray, Coleman, Gentleman and Carney, a bill for an act relating to veterans preference for municipal employees.

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

Senate File 192, by Hester, a bill for an act relating to rights in real estate acquired by adverse possession or prescription which provides that the rights run against the state and its political subdivisions and which creates a presumption of an easement.

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

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 7

By: Anderson, Schwengels, Small, Junkins, Hulse,
Hester, Husak, Priebe, Palmer, Miller of
Cerro Gordo, Rodgers, Drake, Tieden,
Hutchins, Rush, Coleman, Deluhery, Miller of
Des Moines, Briles, Carr, Van Gilst, Wells,
Yenger, Brown, Bisenius, Gallagher, Readinger,
Doyle, Baugher, Goodwin, Murray, Dreeszen,
Vande Hoef, Gentleman, Slater, Lura and Waldstein

1 *Whereas*, increasing utility rates have had a pro-
2 found effect upon the citizens of this state especially
3 those persons who are economically disadvantaged or on
4 fixed incomes; and
5 *Whereas*, the Iowa Commerce Commission is charged by
6 law to regulate utility rates and determine if rate
7 increases are justified; and
8 *Whereas*, it is recognized that the determination of
9 whether utility rates are justified is an extremely
10 complex and time consuming process requiring experts
11 in the field of utility rate regulation; and
12 *Whereas*, the General Assembly has a duty to determine
13 if the Iowa Commerce Commission is properly equipped
14 with staff, funds, laws, and facilities to carry out
15 the Commission's complex duties; *Now Therefore*,
16 *Be It Resolved by the Senate, the House Concurring*,
17 That the program evaluation staff of the Legislative
18 Fiscal Bureau is directed to carry out a comprehensive
19 evaluation of the Iowa Commerce Commission to determine
20 if the Commission is properly equipped with staff,
21 facilities, laws, regulations, and the capability to
22 contract with knowledgeable persons in order to carry
23 out the functions which it is responsible for by
24 law; and

Page 2

1 *Be It Further Resolved*, That the program evaluation

- 2 staff and the committee issue periodic reports and
- 3 recommend legislation as necessary to carry out its
- 4 recommendations to the Legislative Council and the
- 5 members of the General Assembly.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	176	Natural Resources
S. F.	178	Judiciary
S. F.	179	State Government
S. F.	180	State Government
S. C.R.	5	Rules and Administration
H.C.R.	6	State Government

STUDY BILLS RECEIVED

S.S.B. 213 Natural Resources

Relating to noxious weeds.

S.S.B. 214 Transportation

To increase the fee for a duplicate registration card, plate, or pair of plates.

S.S.B. 215 Transportation

To provide that implements of husbandry shall be subject to maximum axle and gross vehicle weight limitations.

S.S.B. 216 County Government

Providing certain exemptions from the real estate transfer tax and the mandatory requirement relative to the filing of a declaration of value.

S.S.B. 217 Labor and Industrial Relations

Relating to measurement of occupational hearing loss.

S.S.B. 218 Commerce

Striking the provision which prohibits a telephone company from imposing a charge for directory assistance.

S.S.B. 219 Commerce

Authorizing foreign casualty insurance corporations to reincorporate as Iowa corporations.

S.S.B. 220 Commerce

Relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials.

S.S.B. 221 Transportation

Providing that fines and forfeited bail collected for weight, registration, and embargo violations be credited to the road use tax fund with the exception that certain amounts of fines and forfeited bail for weight violations be credited to a special fund created by this Act to permit the reimbursement of certain school districts which incur a significant loss of miscellaneous income, and making an appropriation.

S.S.B. 222 Judiciary

Relating to the number of members to be appointed and elected to the state judicial nominating commission and providing a January 1 effective date.

S.S.B. 223 Judiciary

Authorizing the performance of marriage ceremonies by court of appeals judges.

S.S.B. 224 Transportation

To provide for the payment of reinstatement fees for motor vehicle licenses revoked or suspended under the nonresident violators compact.

S.S.B. 225 Education

To change the termination procedures for teachers in Iowa.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 9, 1981, the Governor approved and transmitted to the Secretary of the State the following bill:

S.F. 93—Relating to the definition of the Higher Education Act of 1965 and providing that the Act will take effect upon its publication.

SUBCOMMITTEE ASSIGNMENT FOR GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 58, the following Senators were appointed to a subcommittee of a standing committee:

STATE GOVERNMENT: As a member of the Iowa Housing Finance Authority:

- EARL M. YODER
- Nystrom, Chairperson
- Lura
- Schwengels
- Slater

REPORT OF INVESTIGATING COMMITTEE

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Earl M. Yoder, Iowa City, Johnson County, Iowa, for reappointment as a member of the Iowa Housing Finance Authority under the provisions of Section 220.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 5, 1981, 9:15 a.m.

Members Present: Baugher, Chairperson, Doyle, Ranking Member; DeKoster, Gentleman and Deluhery.

Members Absent: none.

Other Committee Business: Reviewed the Department's options for funding Ft. Madison and Mt. Pleasant.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 5, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins (arrived 9:45 a.m.).

Members Absent: Nystrom.

Other Committee Business: Continuation of presentation by Willis Ann Wolff, Executive Director of College Aid Commission on 1982-83 budget askings; presentation by John Taylor, Executive Director of the Commission for the Blind on 1982-83 budget askings.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 5, 1981, 9:30 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, Kudart and A. Miller.

Members Absent: none.

Other Committee Business: Department of Veteran's Affairs and Board of Parole budget hearings.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 5, 1981, 9:25 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Energy Policy Council and the Department of Environmental Quality.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 5, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Richard Johnson, Auditor of State, Richard Fish, Deputy Auditor and Kasey Kiplinger, Deputy Auditor, appeared before the committee; discussion and recommendations followed.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 5, 1981, 9:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Voted on budget reductions for FY 81.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 5, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Historical Society, Department of Historical Preservation and Historical Museum and Archives budget hearings; made changes in the proposed appropriations committee bill.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 5, 1981, 9:30 a.m.

Members Present: Bisenius, Chairperson (arrived 9:45 a.m.); Coleman, Ranking Member; Anderson, Drake (arrived 9:45 a.m.) and Holden.

Members Absent: none.

Other Committee Business: Presentation by Capitol Security and Department of Public Safety.

Adjourned: 11:30 a.m.

EDUCATION

Convened: February 5, 1981, 3:25 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Taylor and Wells.

Members Absent: Small.

Other Committee Business: Assigned bills to subcommittees; Jon Kneen, Governor's appointee to the State Board of Public Instruction appeared before the committee for questioning prior to being placed on the Individual Confirmation Calendar.

Adjourned: 4:10 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 5, 1981, 8:05 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson (arrived 8:15 a.m.); Anderson, Ranking Member; Brown, Goodwin, Gratias (arrived 8:20 a.m.), Hultman, Kinley and Wells.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; Paul Moran, Ralph Hocksbergeh, Jim Hunsacker and Joe Bervid of Job Services were present to answer questions posed by members of the committee.

Adjourned: 8:40 a.m.

RULES AND ADMINISTRATION

Convened: February 9, 1981, 9:35 a.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Junkins, Ramsey and Holden.

Members Absent: Kinley, Ranking Member.

Final Action: Senate Resolution 5, a resolution honoring Philip E. Burks.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hultman, Hulse, Holden, Junkins and Ramsey. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved salary schedule of steps for certain secretaries.

Adjourned: 9:45 a.m.

STATE GOVERNMENT

Convened: February 9, 1981, 1:35 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Craft, Drake, Gentleman, Gallagher, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: Carr and Hutchins.

Final Bill Action: Senate File 116, a bill for an act relating to the state fair board convention.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Nystrom, Lura, Slater, Briles, Craft, Drake, Gentleman, C. Miller, Palmer, Schwengels and Tieden. Nays, none. Absent or not voting, 3: Carr, Hutchins and Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved committee report on Governor's appointee, Earl M. Yoder as a member of the Iowa Housing Finance Authority; discussion was held on Senate File 119 and Willis Wolfe, College Aid Commission representative, was present to answer questions; bill deferred for further amendment to broaden the scope on the loan default problems.

Adjourned: 1:50 p.m.

WAYS AND MEANS

Convened: February 5, 1981, 1:35 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson, Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: none.

Other Committee Business: Sent SSB 82 as amended to LSB for redrafting as a committee bill; assigned bills to subcommittees; appointed new subcommittee to study Governor's recommendations.

Adjourned: 1:55 p.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 159 passed the Senate on February 9, 1981.

JULIA GENTLEMAN

PRESENTATION OF VISITORS

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

Ten students from Urbandale Junior High School, Urbandale, Iowa, accompanied by Curt Getting. Senator Readinger.

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from two hundred fifty-four residents of Carroll County favoring legislation providing state funding for matching federal funds for the renovation of Swan Lake Park.

AMENDMENTS FILED

S—3057	S. F.	1	Ted Anderson
S—3058	S. F.	172	Edgar H. Holden
S—3059	S. F.	1	Ted Anderson
S—3060	S. F.	175	Emil J. Husak

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Tuesday, February 10, 1981.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 10, 1981

The Senate met in regular session 9:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Charles E. Klink, pastor of the United Methodist Church, Bussey, Iowa.

The Journal of Monday, February 9, 1981, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the day on request of Senator Junkins.

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Craft, a joint resolution proposing to the congress of the United States that it submit to the legislatures of the states a constitutional amendment which would limit the total fiscal budget of the United States.

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

Senate File 193, by Brown, a bill for an act relating to hunter safety education and subjecting violators to a penalty.

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

Senate File 194, by Brown, a bill for an act requiring motor fuel and special fuel dealers to provide air hoses for inflating motor vehicle tires subject to a penalty provided by law.

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

Senate File 195, by Brown, a bill for an act relating to deadlines for budgets and property tax levies of school districts and to provide that the Act takes effect upon its publication.

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

Senate File 196, by Miller of Des Moines, a bill for an act relating to the provision of X-rays by certain professionals to other professionals and providing a penalty.

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

Senate File 197, by Miller of Des Moines, Tieden and Carney, a bill for an act relating to liquor and beer control on Sunday, amending a prerequisite for Sunday sales of beer and liquor, and extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday.

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

Senate File 198, by Kudart, a bill for an act to establish a moratorium on the regulation of a land disturbing activity under chapter 467A, effective upon publication.

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

Senate File 199, by Committee on County Government, a bill for an act authorizing the appointment of legal counsel for county officers under certain circumstances.

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

Senate File 200, by Committee on County Government, a bill for an act relating to the calendar of prisoners in the county jail or detention facility.

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

Senate File 201, by Committee on Commerce, a bill for an act relating to the conditions and limitations applicable to investments by life insurance companies and associations in indebtedness secured by interests in real property.

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

Senate File 202, by Jensen, a bill for an act authorizing a tax levy by a school district for a cash reserve, to be effective upon publication.

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

Senate File 203, by Craft, a bill for an act providing a tax credit to business firms in computing their state income, franchise, or premium tax for assistance provided in impoverished areas with a January 1 effective date.

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

Senate File 204, by Kudart, a bill for an act relating to the adoption of local soil erosion control ordinances.

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

Senate File 205, by Ramsey, a bill for an act allowing the operation of golf carts on the streets of cities of less than five thousand population.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:15 a.m., until 4:00 p.m.

RECONVENED

Due to inclement weather the Senate reconvened at 12:00 noon, President Branstad 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 February 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 211, a bill for an act relating to the salary rate to be paid to judicial magistrates in counties which appoint an additional judicial magistrate and providing an effective date.

Also: That the House has on February 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 233, a bill for an act relating to joint meetings of members of boards of an area education agency and its corresponding merged areas.

Also: That the House has on February 10, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 11, a resolution providing for a joint convention on Wednesday, February 11, 1981, at 11:00 a.m. for the purpose of inviting the Chief Justice of the Supreme Court, W. Ward Reynoldson to present his message of the condition of the judicial department.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 211, a bill for an act relating to the salary rate to be paid to judicial magistrates in counties which appoint an additional judicial magistrate and providing an effective date.

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

House File 233, a bill for an act relating to joint meetings of members of boards of an area education agency and its corresponding merged area.

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

HOUSE CONCURRENT RESOLUTION 11

By: Pope

- 1 *Be It Resolved by the House of Representatives,*
- 2 *The Senate Concurring,* That a joint convention of the
- 3 two houses of the Sixty-ninth General Assembly be held
- 4 on Wednesday, February 11, 1981, at 11:00 a.m.
- 5 *Be It Further Resolved,* That Chief Justice of the
- 6 Supreme Court, W. Ward Reynoldson be invited to present
- 7 his message of the condition of the judicial department
- 8 at this joint convention, and recommend such matters as
- 9 the Chief Justice deems expedient, pursuant to section
- 10 684.22 of the Code.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

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

Senate File 206, by Nystrom, a bill for an act authorizing foreign casualty insurance corporations to reincorporate as Iowa corporations.

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

Senate File 207, by Committee on State Government, a bill for an act establishing the rate of interest payable on certain delinquent taxes owed to the state.

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

Senate File 208, by Gallagher, a bill for an act to require a hearing to determine damages when one landowner seeks better drainage or a better outlet across the land of another landowner.

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

Senate File 209, by Taylor, Craft, DeKoster, Gratias, Hutchins, Jensen, Miller of Cerro Gordo, Rodgers, Schwengels, Husak, Waldstein, Miller of Des Moines, Vande Hoef, Goodwin, Brown, Palmer, Doyle and Wells, a bill for an act to amend the county agricultural extension law by providing for approval of the county agricultural extension council budget by the board of supervisors and increasing the dollar amount which may be levied for budget.

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

Senate File 210, by Small, Jensen, Brown, Waldstein, Taylor, Anderson and Bisenius, a bill for an act to require examinations for certain teachers.

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

Senate File 211, by Anderson, a bill for an act permitting an employee to choose the care given under workers' compensation medical benefits.

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

Senate File 212, by Anderson, a bill for an act exempting from the sales, services, and use tax the sale of food through vending machines.

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

Senate File 213, by Committee on County Government, a bill for an act relating to the members of the Iowa beer and liquor control council.

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

Senate File 214, by Wells, a bill for an act to revise the open meetings law to extend coverage to advisory groups created by a governmental body.

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

Senate File 215, by Wells, a bill for an act relating to the official nickname of the state of Iowa.

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

APPENDIX**STUDY BILLS RECEIVED****S.S.B. 226 Commerce**

Establishment of bank offices within the municipal corporation or urban complex in which the principal place of business of the bank is located.

S.S.B. 227 Natural Resources

Relating to revision of laws governing recreational boating in Iowa, including penalties and scheduled fines for violations of boating laws.

S.S.B. 228 Appropriations

To reduce the appropriations for certain natural resources agencies operations and capital projects and providing for an effective date by publication.

S.S.B. 229 Judiciary

Prohibiting the use of devices to detect the presence of operational radar equipment or to interfere with its reception.

S.S.B. 230 Ways and Means

To increase the interest penalty on delinquent property taxes to one and one-half percent per month.

S.S.B. 231 Energy

Relating to the access to and use of solar energy.

S.S.B. 232 Energy

Relating to hazardous waste management, including new prohibited acts and providing penalties for violations.

S.S.B. 233 Energy

Amendments to Iowa Hazardous Waste Law.

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 4, the Committee on Rules and Administration submits the following changes in Grades and Steps:

Senate Secretary	Diane Collison	Grade 13 to Grade 15 Effective January 30, 1981
Senate Secretary	Betty J. Dysart	Step 3 to Step 4 Effective January 30, 1981
Senate Secretary	Marjorie B. Thompson	Step 4 to Step 5 Effective March 27, 1981

CALVIN O. HULTMAN, Chairperson

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 13 passed the Senate on February 9, 1981.

BOB RUSH

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3043 to Senate File 13 was adopted by the Senate on February 9, 1981.

BOB RUSH

MR. PRESIDENT: I move to reconsider the vote by which Senate File 146 passed the Senate on February 9, 1981.

FORREST V. SCHWENGELS

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 9, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: Comito.

Final Bill Action: Senate File 201, a bill for an act relating to the conditions and limitations applicable to investments by life insurance companies and associations in indebtedness secured by interests in real property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Holden, Baugher, Deluhery, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 1: Comito.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:25 p.m.

COUNTY GOVERNMENT

Convened: February 3, 1981, 3:03 p.m.

Members Present: Briles, Chairperson; Waldstein, Vice Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger.

Members Absent: none.

Final Bill Action: Senate File 199, a bill for an act authorizing the appointment of legal counsel for county officers under certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 200, a bill for an act relating to the calendar of prisoners in the county jail or detention facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 213, a bill for an act relating to the members of the Iowa beer and liquor control council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 3:38 p.m.

EDUCATION

Convened: February 9, 1981, 1:33 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Other Committee Business: Request made for a study bill regarding the termination procedures for teachers in Iowa; SSB 175 failed recommendation for passage.

Adjourned: 2:10 p.m.

STATE GOVERNMENT

Convened: February 2, 1981, 1:34 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, Palmer, Schwengels and Tieden.

Members Absent: C. Miller.

Final Bill Action: Senate File 207, a bill for an act establishing the rate of interest payable on certain delinquent taxes owed to the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gentleman, Schwengels and Tieden. Nays, 3: Palmer, Hutchins and Gallagher. Absent or not voting, 1: C. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Discussed SSB 177; SSB 127 assigned to subcommittee.

Adjourned: 1:55 p.m.

STATE GOVERNMENT

Convened: February 5, 1981, 3:25 p.m.

Members Present: Nystrom, Chairperson, Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: none.

Final Bill Action: Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Nystrom, Lura, Briles, Slater, Carr, Drake, Gallagher, Hutchins, C. Miller, Schwengels and Tieden. Nays, 3: Gentleman, Palmer and Craft.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:50 p.m.

BILLS ASSIGNED TO COMMITTEE

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

- S. F. 181 State Government
- S. F. 182 Agriculture
- S. F. 183 Commerce
- S. F. 184 Labor and Industrial Relations
- S. F. 185 Ways and Means
- S. F. 186 State Government
- S. F. 187 Ways and Means
- S. F. 188 County Government
- S. F. 189 State Government
- S. F. 190 State Government
- S. F. 191 Cities
- S. F. 192 Judiciary
- S. C.R. 6 Rules and Administration
- S. C.R. 7 Rules and Administration

AMENDMENT FILED

S—3061 S. F. 130 Gary L. Baugher
 David M. Readinger

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 12:00 noon, until 10:00 a.m., Wednesday, February 11, 1981.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 11, 1981

The Senate met in regular session at 10:05 a.m., President pro tempore Ramsey presiding.

Prayer was offered by the Reverend Myron Brockmeyer, pastor of the Atlantic United Methodist Church, Atlantic, Iowa.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Codington, M.D., Humboldt, 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 on February 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 73, a bill for an act relating to repairs and improvements in drainage and levee districts.

ALSO: That the House has on February 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 157, a bill for an act relating to the authority of school districts to sell, lease, or dispose of school property.

ALSO: That the House has on February 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 235, a bill for an act to replace the salaries of the members of the Iowa beer and liquor control council with a per diem compensation.

ALSO: That the House has on February 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 236, a bill for an act providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review or modification.

ALSO: That the House has on February 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 282, a bill for an act authorizing the performance of marriage ceremonies by court appeals judges.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 73, a bill for an act relating to repairs and improvements in drainage and levee districts.

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

House File 157, a bill for an act relating to the authority of school districts to sell, lease, or dispose of school property.

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

House File 235, a bill for an act to replace the salaries of the members of the Iowa beer and liquor control council with a per diem compensation.

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

House File 236, a bill for an act providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review or modification.

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

House File 282, a bill for an act authorizing the performance of marriage ceremonies by court of appeals judges.

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

INTRODUCTION OF BILLS

Senate File 216, by Vande Hoef, a bill for an act relating to noxious weeds.

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

Senate File 217, by Rush, a bill for an act to provide that transfers of property or interests in property pursuant to a decree of dissolution of marriage are not subject to the real estate transfer tax and the requirements relating to the filing of a declaration of value.

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

Senate File 218, by Holden, a bill for an act relating to the publication of financial transactions of school districts.

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

CONSIDERATION OF RESOLUTION

House Concurrent Resolution 11

Senator Hultman asked and received unanimous consent to take up for consideration House Concurrent Resolution 11, a resolution providing for a joint convention on February 11, 1981, for the State of the Judiciary Message, filed February 10, 1981, and found on page 376 of the Senate Journal.

Senator Hultman moved the adoption of House Concurrent Resolution 11, which motion prevailed by a voice vote.

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

The Senate resumed session, President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

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 11, 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 11, duly adopted, the joint convention was called to order at 11:00 a.m., President Branstad presiding.

Senator Hultman 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 by a voice vote.

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

Senator Ramsey moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Honorable W.W. Reynoldson, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Ramsey, Doyle and Readinger, on the part of the Senate, and Representatives Halvorson, Trucano and Doderer, on the part of the House.

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

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

President Branstad then presented Chief Justice Reynoldson, who delivered the following State of the Judiciary Message:

MR. PRESIDENT, MR. SPEAKER, SENATORS, REPRESENTATIVES,
STATE OFFICIALS, AND FELLOW IOWANS:

A statute you adopted in 1978 calls for the chief justice to report the condition of the judicial branch of government. Iowans must appreciate your concern, thus evidenced, for the operation of their courts, and we welcome this third occasion to consider with you ways and means to deliver justice to Iowa's citizens. In a world where basic freedoms and justice are frequently nonexistent, we are fortunate that here our efforts may be limited only by our own will to undertake the task.

You doubtlessly have been watching events in Poland with the same fear we feel for the Solidarity union members who seek for the Polish people some of those freedoms we take for granted. Recently the Solidarity leader, Lech Walesa, stood in the city of Gdansk before a monument erected to honor Polish workers gunned down in confrontation with their Communist masters. Ignoring the presence of the Communist leaders, defying fifty-five Soviet divisions poised on the borders, he said:

This monument was erected for those who were killed, as an admonition to those in power. It embodies the right of human beings to their dignity, to order and to justice.

Human Dignity, Order, Justice. From time to time we need the Lech Walesas, relaying down the halls of history, the call of generations of persecuted people, to bring us to a reexamination of our priorities.

Over in Southeast Asia, thousands of boat people in leaky vessels, launched into shark and pirate infested waters for an unknown destination, remind us that they are willing to risk death for what we merely need to preserve and perfect.

And so this morning let us briefly look at the problems of preserving and perfecting Iowa's judicial system, with the goals of justice, and order, and human dignity.

JUSTICE

In a broad context, Iowans may obtain justice through legislation enacted by your branch of government, and through effective administration of those laws by the executive branch. But ordinarily and in a more personal sense, people think the delivery of justice is the business of the courts. They want it delivered with all deliberate speed, efficiently and fairly. Of course, the ability of the judicial branch of government to satisfy these expectations is controlled by our case load and by the resources you provide to cope with it.

1. Case Load.

We report first on case load. There were 5,498 juvenile petitions filed and 27,732 probate cases opened in the Iowa district court during 1980. Our judges and magistrates of limited jurisdiction, together with the clerks of the district court, disposed of over three-quarters of a million simple misdemeanors and scheduled violations and more than 80,000 small claims. In addition, they handled many preliminary hearings, search warrant applications, and emergency hospitalization hearings. Altogether, the judicial department processed approximately 1,000,000 legal matters in 1980.

Focusing on the district court, filings have soared 176 percent from 1960, when 34,027 civil and criminal proceedings were filed, until 1980, when 93,915 were filed. This burden is reflected graphically on Appendix A. During the same twenty year period the average number of civil and criminal case dispositions per Iowa district court judge has increased from 428 in 1960 to 761 per Iowa court judge in 1980, as shown by Appendix B.

While this production increase results in part from procedural improvements and administrative assistance, in large measure it reflects the long hours and dedicated efforts of Iowa's trial judges. These officers have been sprinting—not merely running—since your 1977 amendment freezing the operation of code section 602.18, designed to add district judges under a formula based on increased case load and population. This sustained sprinting necessarily has reduced the concentration a judge can give to each decision. And it has taken a toll on the morale of those who serve in the courts.

Despite the hard work of district court judges, there were 6274 more civil and criminal cases pending at the end of 1980 than there were at the beginning. Of the pending cases, 12,323 were more than one and one-half years old, an increase of 65 percent over January 1980. Thousands of Iowans are frustrated by delayed justice caused by the burgeoning backlog of pending cases in their trial courts.

A break in the logjam at district court level would bring a flood of appeals. Even with this unfortunate obstruction, appeals are rising steadily, as shown on Appendix D. Just ten years ago, in 1970, only 617 cases were appealed, about 69 per appellate judge. In 1980, 1620 cases were appealed. Taking into account Iowa Court of Appeals members, this volume averages 116 appeals per appellate judge. Despite the enormous assistance you provided in creating the court of appeals, and despite the best efforts of both courts, pending appeals have mounted at each year's end and reached 1168 as we closed out 1980. Although for about three years the appellate docket has been largely free of backlog and delay in cases ready for decision, the number of cases ready for disposition increased over 17 percent during 1980.

2. Resources.

The sole product of the judicial branch of government is the adjudication of disputes. That product is generated from services of judicial officers and support personnel. The quality of that end product can rise no higher than the quality of person you can attract to, and retain in, the system. The attractiveness of positions in the system is directly affected by compensation. I have addressed this situation for two years and will not dwell on it now. Appendix F illustrates the erosion of the real purchasing power of Iowa district court judges from July 1977, projected to July 1981 at the present 12.5 percent inflation rate. Measured in terms of 1977 dollars, compensation of these judges will fall 36 percent to an annual rate of \$25,568 by July of this year.

Everyone understands the issues you confront because the increase in state revenues has fallen below expectations. But certain studies and steps could be continued or undertaken that may ultimately aid in stretching judicial department resources while costing little or nothing at this time.

I suggest that you continue your consideration and study of the plan to finance Iowa's state court system from the state level, even though you may elect not to implement it financially now. In 1979 your Legislative Council wisely adopted a resolution resulting in the Court Study Joint Subcommittee, comprised of five members each from the Senate Judiciary Committee and the House Judiciary and Law Enforcement Committee. The joint subcommittee, aided by a private contractor paid with federal funds, undertook a study with the following objectives:

First, to determine how much Iowa's court system costs, how much the counties pay for it, and how many people work for or with the courts.

Second, after comparing Iowa's court system with those of three other states, to design a model for a statewide judicial department with one budget and one overall personnel policy.

Third, to provide a plan to gradually implement the proposed model.

With its work completed, the joint subcommittee has recommended a bill draft to the Legislative Council. The bill has been assigned to subcommittees of the judiciary committees in both houses.

- All of this activity has resulted in some interesting and useful information.

In fiscal year 1979, the total cost of Iowa's state court system was \$38.3 million. The state paid approximately 25 percent of that expense in the form of salaries and travel expenses of the judges and magistrates, and for appellate court operations. This comprises about one-half of one percent of total state appropriated funds, as shown by Appendix G. Seventy-five percent of the cost of court operations was paid by the 99 counties. Of course, only persons who own tangible property and pay property taxes directly bear this burden.

The study disclosed that about 1700 persons serve the judicial department. Yet there are no statutes permitting us to devise a logical, overall, cohesive personnel policy.

A good illustration relates to juvenile probation officers. We ask you to examine code section 231.8, creating an administrative maze that beclouds the authority and leadership of juvenile judges and chief probation officers. It is the product of nine amendments to one code section over a thirty-year period!

The district court clerks fulfill important court duties. They have large responsibilities of a highly technical nature in managing case flow in the trial courts. They record and index all relevant court papers. They have no policy making function. Nonetheless, these clerks are not directly responsible to the judges with whom they work. Every four years they must campaign in a partisan election to retain their positions. This anomaly interferes with the long-term training and supervision of these key managers. It results in the loss of skilled and experienced persons through the sweep of broad political tides unrelated to their duty performance. We strongly suggest district court judges should be permitted to appoint their clerks of court, just as the supreme court appoints its clerk and you in the legislature appoint the key persons who assist you with your work. By resolution, the district court clerks' association has endorsed this concept, as well as the overall design for centralized funding and personnel responsibility.

Your continued study might lead you to provide for appointment of district court clerks without assuming the payroll obligation this year. This would be no different from the case of court reporters and juvenile probation officers, who now are appointed by and responsible to the state's judicial department although paid by the counties.

Your Court Study Joint Subcommittee recommended that all personnel serving the judicial branch be brought into the judicial department. This does not mean that all these people would be hired and directly supervised from Des Moines. The

supreme court is committed to the concept of utilizing judicial districts in fulfilling its constitutional responsibility under article V, section 4, to "exercise a supervisory and administrative control over all . . . Judicial tribunals throughout the State."

Your committee study showed that an integrated judicial department, with a centralized budget and personnel system, would increase accountability for tax dollars, work loads and productivity. It would make it possible to pool resources and apply them in areas of need. It would lead to uniform operating and management procedures and allow for planning. The overall concept has been endorsed and approved by resolutions of the Iowa Clerks of the District Court Association, the Iowa Juvenile Probation Officers Association, the Iowa County Supervisors Association and the Judicial Council. Certainly a temporary fiscal reversal should not derail your further consideration and study of this reform which after all is a continuum of your past accomplishments and reforms. These include: the integration of Iowa's trial courts into one "Iowa District Court"; Iowa's modern procedure for judicial selection and tenure; the Iowa Court of Appeals; and the Commission on Judicial Qualifications to initiate the discipline of judges.

In this fiscally "lean" year you might find time to consider unaddressed recommendations contained in our 1979 message, and in the report of the court's 1979 Litigation Costs Study Committee. Two of these recommendations, not yet adopted, relate to the Uniform Arbitration Act and the taxation of court costs.

The committee recommended, and the court endorsed, adoption of the federal method of taxing court costs under which a single or "flat" docket fee is collected. Court costs, of course, are a small portion of the cost of litigation and relate to minor charges for court services. Care must be taken that the fees are not fixed so high that people are denied access to the courts, thus creating serious constitutional issues. Provision must be made for indigents, protected today only by our decision in Hightower V. Peterson.

No one would suggest the judicial branch be self-supporting any more than the executive or legislative branch. Like police and fire protection, the court system functions as a public service and should not be financed by the users. It must be available to all Iowans. However, one set, reasonable filing fee has obvious advantages over the present system. A great deal of time could be saved that is now spent in laboriously entering numerous statutory charges ranging from twenty cents to five dollars, and ultimately accounting for and distributing the money. In addition, these statutory costs have not been increased to keep pace with recent inflation.

In best utilizing this department's resources for the benefit of all Iowans, perhaps you will analyze the trial court case load to determine whether there is any way to reduce it.

The Litigation Costs Study Committee's recommendation to adopt the Uniform Arbitration Act was endorsed by the supreme court except for cases involving adhesion or (consumer-type) contracts. This merits your attention.

Soon you will have before you a bill permitting childless married couples with limited property and indebtedness to jointly file for "Summary Dissolution of Marriage." The marriage then terminates, without a court appearance, upon an automatic court order. The wisdom of that measure, of course, will be in your hands where it properly belongs.

The proposal is mentioned here because it would extend "no fault" marital dissolutions, or divorces. In your study you might review, as a part of your continuing effort to control the case load for Iowa's courts, the present status of "no fault" marriage dissolutions.

Since "no fault" dissolutions were allowed there has been an explosive increase in dissolution filings. In 1980 they comprised one-third of all civil cases filed. Coupled with the often-related uniform support and domestic abuse cases, they amount to 48.1 percent, nearly one-half, of our civil case load.

In allocating our judicial resources, these are traumatic and time-consuming cases. Many involve children and demand the finest judicial efforts to decide custody and the related and continuing struggles over visitation and support.

Few would suggest turning back the clock to the abuses that prevailed under the old law. On the other hand, you might consider a reexamination of these statutes to determine if they are functioning as you intended them. Your consideration might extend to questions whether human suffering and hidden costs sometimes attend effortless dissolutions, including delinquency, school academic and disciplinary problems, and resolution of attendant financial crises by the taxpayers through aid to families with dependent children.

Your study might find that the pendulum has swung too far and that ways could be devised to retain what is best in the no fault concept while at the same time slowing the stampede of married couples to the courthouse.

In both 1980 and 1981-83 judicial department planning we adopted our Judicial Coordinating Committee's program to establish dispute settlement centers, using federal funds. We hoped these centers might divert disputes from the courts through the use of mediation, a device claimed to be effective where the conflicting parties have an ongoing relationship, such as husband and wife, landlord and tenant, or adjoining neighbors. It was an exciting and promising idea. Our pilot program in the sixth judicial district terminated with the demise of federal funding. The concept remains a means for exploring whether some of those disputes might be satisfactorily resolved outside the courthouse.

We briefly turn to another objective of enlightened and effective government that Walesa identified: Order.

ORDER

The fundamental civil right of people to be secure in their persons and property was addressed by Governor Ray in his report. It is of grave concern. This ancient and

continuing problem was reported by Ezekiel about 2500 years ago when he wrote, "The land is full of bloody crimes, and the city is full of violence." It surfaced as the quaintly expressed goal of "domestic Tranquility" in the preamble to the United States Constitution.

The rising crime wave dramatically and adversely impacts the judicial branch in two ways.

First, the respect that we work to achieve for the courts, and consequently for law, is eroded when unthinking persons blame the courts for the lawbreakers. It ought to be clear that crime is not created by the judicial law process. Its roots are deep in sociological, psychological and economic causes, including the breakdown of restraints formerly imposed by the family, the neighborhood, and organized religion. This disease is societal, and we can no more control it in the courts alone than we can eliminate biological disease in the operating rooms. We are investigating the dimensions of disparate sentencing. We are devising tight schedules to move the thin line of trial judges through the counties to satisfy code and constitutional speedy trial requirements. But the judicial branch cannot single-handedly restore safety to the streets, no matter how we may fine tune our criminal judicial processes to be just, fair and speedy.

The second adverse blow to the judicial branch comes with the accelerating landslide of criminal case filings, while the same number of judges, magistrates and support personnel struggle to stay on top and process them.

We enthusiastically commend proposed legislation to apprehend more lawbreakers. Judges, like other people, have families, homes and concerns for personal safety and property. But in any plans to increase arrest rates—say, from the present rate of 171 per 1000 reported crimes to 300 per 1000 reported crimes—we hope you will accept the offer we extended last year to furnish, at your request, studies relating to the impact of new legislation in terms of judge time, and additional judges. We must have the means to fulfill the judiciary's role in a concerted attack on crime, in order to restore and preserve order, to bring safety to our streets and security to our homes.

Finally, we examine our justice system in light of Walesa's third right for free people: Human Dignity.

HUMAN DIGNITY

An overview of this country's history reveals a relationship between Walesa's demand and our own requirements. Through explosive technological advances, we have created the greatest industrial machine on earth. It has been superimposed upon legal concepts and social values grounded in the frontier individualism of an agrarian society. The mass migration of people to cities fractured the old, smaller neighborhoods. It diminished each person's role in community relations and government.

In 1840 about 75 percent of our citizens were self-employed. By the 1970 census only 7 percent of the people in this country were self-employed, and the 1980 census probably will show fewer still. We have become a nation of employees—assembly-line workers, justices, teachers, store clerks, corporate executives—a status that often invokes a sense of powerlessness to control one's own destiny.

The complexity of our economic, social and political structures finds us dependent upon others, including those beyond our national boundaries, for every basic necessity. We are frustrated by scarcities, inflation, and our inability to control our environment. We suddenly are vulnerable to emotional and economic blackmail by irrational persons halfway around the earth. Our society is characterized by the movie episode in which the people shout in unison, "I'm mad—and I'm not going to take it anymore!"

It is not the function of this report to classify the conflicts resulting from all this, or to analyze the confrontations which often seem primarily aimed at attracting mass news media attention. We need only recognize, with Walesa, the hope in every human heart to be viewed as a person—not as just another social security number, a statistic in a computer, an unknown lever-puller in a polling place.

It is vital that a person in crisis be viewed and treated as an individual by the judicial branch—the last refuge that a democratic, civilized society provides against oppression, even by government itself. But there is a barrier, which we jointly ought to study, created by a case load that calls for assembly-line production when human dignity demands handcrafted justice and respect for individual litigants. Together we should provide the vision and resources required to preserve Iowa's system of justice, and thereby give to every Iowan the justice, the order, and the dignity that Lech Walesa identified as the right of every human being.

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

Representative Pope moved that the joint convention be dissolved, which motion prevailed by a voice vote.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 11:45 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

The Journal of Tuesday, February 10, 1981, was approved.

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by Taylor, a joint resolution for the purpose of requesting appropriate action by the congress, either acting by consent of two-thirds of both houses or, on the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal constitution to impose limitations upon federal fiscal outlays and tax receipts for each fiscal year.

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

Senate File 219, by Goleman, a bill for an act relating to the installation of heaters in railroad motor track cars and providing a penalty, with a January 1, 1982, effective date.

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

Senate File 220, by Coleman, a bill for an act prohibiting the revoking of an anatomical gift by a person other than the donor.

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

Senate File 221, by Husak, a bill for an act requiring the submission of evidence of liability insurance as a condition precedent to the registration of a motor vehicle.

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

Senate File 222, by Slater, a bill for an act to require that the department of public instruction and the area education agencies encourage schools to offer programs for gifted and talented children.

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

Senate File 223, by Slater, a bill for an act limiting the power of the governor to restrict the allocation of appropriated funds when such funds will be used by the department of social services to match federal funds.

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

Senate File 224, by Slater, a bill for an act relating to the residence qualification for election to the office of drainage district trustee.

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

Senate File 225, by Committee on State Government, a bill for an act relating to retainage withheld from payment to contractors under contracts for public improvements.

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

Senate File 226, by Rodgers, a bill for an act relating to incentives for the construction of dwellings incorporating renewable energy systems by prohibiting zoning regulations that specifically exclude earth sheltered construction, by providing an additional homestead tax credit for earth sheltered dwellings, and by providing that passive solar energy systems added as improvements to buildings shall not increase the actual assessed and taxable value of the property for designated assessment years and making a portion of the Act retroactive to January 1, 1981.

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

Senate File 227, by Rodgers, a bill for an act relating to beginning farmers by authorizing the family farm development authority to establish a program for insuring or guaranteeing contracts of sale of farm land made to beginning farmers, increasing the bonding power of the authority, providing for an income tax deduction for capital gains and interest received on contracts of sale made to beginning farmers and providing for a January 1 effective date for certain sections.

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

Senate File 228, by Committee on Judiciary, a bill for an act repealing a requirement for transference of certain male prisoners.

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

INTRODUCTIONS OF RESOLUTIONS

SENATE RESOLUTION 6

By: Committee on Ethics

- 1 *Whereas*, section sixty-eight B point ten (68B.10) of the
- 2 code provides that the senate committee on ethics shall prepare
- 3 rules relating to lobbyists and lobbyists' activities; and

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

9 *Be It Resolved by the Senate*, That the rules governing
 10 lobbyists for the sixty-ninth general assembly shall be:

11 SENATE RULES

12 GOVERNING LOBBYISTS

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

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

17 b. Represents on a regular basis an organization which
 18 has as one of its purposes the encouragement of the passage,
 19 defeat, or modification of legislation; or

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

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

27 a. Officials and employees of a political party orga-
 28 nized in the state of Iowa representating more than two percent
 29 of the total votes cast for governor in the last preceding
 30 general election, but only when representing the political
 31 party in an official capacity.

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

34 c. Federal, state, or local government officials and
 35 employees who in the course of their official duties submit

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1 proposed legislation or amendments to a senator or senate
 2 committee or who provide information or are requested or
 3 required to provide information to a senator or to appear
 4 before a senate committee and who do not actively encourage
 5 the passage, defeat, or modification of legislation.

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

8 e. Persons who exclusively represent their own interests
 9 (as distinguished from the interests of a group, employer,
 10 or organization), provided they are not compensated by anyone
 11 for lobbying.

12 3. These rules are only applicable to lobbying activities
 13 involving the Iowa General Assembly.

14 4. All lobbyists shall, on or before the day their lobbying

- 15 activity begins, register with the secretary of the senate
16 by filing a lobbyists registration statement listing:
- 17 a. Name, permanent business address, temporary residential
18 and business address in Polk County during the legislative
19 session, and telephone numbers. If two or more lobbyists
20 are associated together or consistently work together in all
21 their lobbying, then they may file a joint registration.
22 The name, permanent business address, temporary residential
23 and business address in Polk County during the legislative
24 session, and telephone numbers of all persons included in
25 the joint registration shall be listed.
- 26 b. The name and address of all individuals, companies,
27 firms, corporations, unions, associations or causes for which
28 he or she lobbies.
- 29 c. The general subjects of legislation in which the
30 lobbyist is or may be interested, the number of the bills
31 and resolutions (if known) which will be lobbied, and whether
32 the lobbyist intends to lobby for or against each bill (if
33 known).
- 34 d. A detailed description of any agreement, arrangement,
35 or understanding concerning contingent fees.

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- 1 Any change in or addition to the foregoing information
2 shall be registered with the secretary of the senate within
3 ten days after the change or addition is known to the lobbyist.
- 4 5. All federal, state, and local officials or employees
5 representing the official position of their departments,
6 commissions, boards or agencies shall present to the secretary
7 of the senate a letter of authorization from their department
8 or agency heads prior to the commencement of their lobbying.
9 The lobbyist registration statement of such officials and
10 employees shall not be deemed complete until the letter of
11 authorization is attached thereto.
- 12 6. Federal, state, and local officials who wish to lobby
13 in opposition to the official position of their departments,
14 commissions, boards or agencies must indicate such on their
15 lobbyist registration statements.
- 16 7. If a lobbyist's service on behalf of a particular
17 employer, client, or cause is concluded prior to the end of
18 the calendar year, the lobbyist may cancel his or her
19 registration on appropriate forms supplied by the secretary
20 of the senate. Upon cancellation of registration, a lobbyist
21 is prohibited from engaging in any lobbying activity on behalf
22 of that particular employer, client, or cause until re-
23 registering and complying with these rules.
- 24 8. Lobbyists and the organizations they represent shall
25 not allow any senators to charge any amounts or items to any

26 charge account to be paid for by those lobbyists or by the
27 organizations they represent.

28 9. A lobbyist, or an employer of a lobbyist, shall not
29 offer economic or investment opportunity or promise of employ-
30 ment to any senator with intent to influence his or her con-
31 duct in the performance of official duties.

32 10. A lobbyist, or employer of a lobbyist, shall not pay
33 for membership in or contributions to clubs or organizations
34 on behalf of a senator.

35 11. Lobbyists shall not be permitted on the floor of the

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1 senate while the senate is in session. Elected state offi-
2 cials, except the governor, lieutenant governor, and the
3 members of the house of representatives, shall not be permitted
4 on the floor of the senate while the senate is in session
5 to encourage the passage, defeat, or modification of
6 legislation.

7 12. Any member of the general assembly may file a complaint
8 against a lobbyist or a senator alleging violation of law
9 or the senate rules governing lobbyists. The complaint shall
10 be in writing, made under oath, and filed with the secretary
11 of the senate. The secretary of the senate promptly shall
12 transmit the complaint to the chair of the senate ethics
13 committee, who promptly shall convene that committee to
14 consider the complaint.

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

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

34 14. A lobbyist's registration shall be valid for only
35 one general assembly. If an individual desires to continue

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1 lobbying activity, he or she must re-register at the begin-
2 ning of each [general assembly] *session*.

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

6 16. The secretary of the senate shall prescribe forms
7 and procedures for compliance with these rules.

8 17. All statements filed under these rules shall be public
9 records open to public inspection at all reasonable times.
10 Records relating to lobbying in one general assembly shall
11 be retained by the secretary of the senate through the
12 succeeding general assembly.

13 18. As used in these rules, the word "gift" and the phrases
14 "immediate family member" and "public disclosure" have the
15 meaning provided in [Acts of the Sixty-eighth General Assembly,
16 1980 Session, House File six hundred eighty-seven (687),
17 section six (6)] *chapter sixty-eight B (68B), Code 1981*.

18 The reports required to be filed under rules 19 and 20
19 of these rules shall be filed not later than the fifteenth
20 day of a month for gifts made or received during the preceding
21 month.

22 19. Persons who have made gifts to [a] *any* senator, senate
23 employee, or [an] *any* immediate family member of a senator or
24 senate employee *which has a value in excess of fifteen dollars*
25 *on any one occurrence* shall file a report with the secretary
26 of the senate which includes:

27 (1) A list of senators, senate employees, or their
28 immediate family members [for] *each to whom a gift [which has*
29 *a value in excess of fifteen dollars] was made [on any one*
30 *occurrence,] the date of the occurrence, and the nature and*
31 *amount of the gift.*

32 (2) A monthly total of all gifts made by persons and their
33 employer or employers *regardless of the dollar value to*
34 *senators, senate employees, and their immediate family members,*
35 *including the following:*

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1 (a) Food and refreshment.

2 (b) Entertainment, including the cost of a hospitality
3 room.

4 (c) Travel.

5 (d) Recreation expense.

6 (e) Lodging expense.

7 (f) Other (including the nature of the gift).

8 (3) The amount of an honorarium for speaking *in excess*
9 *of fifteen dollars* paid to a senator, senate employee, or

10 immediate family member of a senator or senate employee.
 11 The amount listed shall include reimbursement for or payment
 12 of actual expenses incurred for public speaking engagements
 13 or other formal public appearances.

14 (4) If a gift is made to two or more members of the general
 15 assembly, employees of the general assembly, or their immediate
 16 families which cannot be precisely attributed to each
 17 recipient, the report shall average the cost of the gift upon
 18 all those upon whom the gift is given if the cost of the gift
 19 exceeds fifteen dollars per recipient. The fact that averaging
 20 was used shall be disclosed.

21 20. Senators and employees of the senate shall file a
 22 report with the secretary of the senate of the acceptance
 23 of a gift made to them or [their] to each immediate family
 24 [members] member which exceeds fifteen dollars in value on any
 25 one occurrence. The report shall list the nature, [amount]
 26 date and donor of the gift.

27 [All honoraria] *Honoraria* for speaking in excess of fifteen
 28 dollars paid to a senator, senate employee, or immediate
 29 family member of a senator or senate employee shall be listed
 30 [The amount listed shall include reimbursement for or payment
 31 of actual expenses incurred for public speaking engagements
 32 or other formal appearances.]

Read first time and placed on calendar.

SENATE RESOLUTION 7

By: Committee on Ethics

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

5 *Whereas*, the Code further provides that the code of ethics
 6 shall not become effective until approved by the senate, and
 7 that the code of ethics may be amended either upon the
 8 recommendation of the ethics committee or by the members of
 9 the senate; *Now Therefore*,

10 *Be It Resolved by the Senate*, That the senate code of
 11 ethics for the sixty-ninth general assembly shall be:

SENATE CODE OF ETHICS

13 Recognizing that service in the Iowa General Assembly is
 14 a part-time endeavor and that members of the general assembly
 15 are honorable individuals who are active in the affairs of
 16 their localities and elsewhere and that it is necessary that
 17 they maintain a livelihood and source of income apart from
 18 their legislative compensation, the following rules are adopted
 19 pursuant to section sixty-eight B point ten (68B.10) of the
 20 Code, to assist the members in the conduct of their legislative

21 affairs.

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

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

35 3. No legislator in order to further his or her own

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1 economic interests, or those of any other person, may disclose
2 or use confidential information acquired in the course of
3 his or her official duties.

4 4. A member of the general assembly may appear before
5 a governmental agency or board in any representation case,
6 except that he or she shall not appear before a governmental
7 agency or board for compensation if the matter is subject
8 to legislative review. Whenever a member of the general
9 assembly appears before a governmental agency or board, he
10 or she shall carefully avoid all conduct which might in any
11 way lead members of the general public to conclude that he
12 or she is using his or her official position to further his
13 or her professional success or personal financial interest.

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

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

23 b. The effect of his or her participation on public
24 confidence in the integrity of the legislature.

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

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

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

32 his or her conflict of interest.

33 6. Each legislator shall file with the secretary of the
34 senate within ten days after the adoption of the Code of
35 Ethics by the senate, and within ten days after the convening

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1 of each session of the general assembly, a statement on forms
2 provided by the secretary of the senate setting forth the
3 following information:

4 a. The nature of each business in which he or she is
5 engaged and the nature of the business of each company in
6 which he or she or his or her spouse has a financial interest.
7 A legislator shall not be required to file a report or be
8 assumed to have a financial interest if an investment in
9 stocks, bonds, bills, notes, mortgages or other securities
10 offered for sale through recognized financial brokers is less
11 than five percent of the total outstanding issue of any such
12 stock, bonds, bills, notes, mortgages or other securities
13 of the offering entity.

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

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

29 Disclosures required under this rule shall be as of the
30 date filed unless provided to the contrary, and shall be
31 amended to include interests and changes encompassed by this
32 rule that occur while the general assembly is in session.
33 All filings under this rule shall be open to public inspection
34 in the office of the secretary of the senate at all reasonable
35 times.

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1 The secretary of the senate shall inform the ethics
2 committee of the statements which are filed and shall report
3 to the ethics committee the names of any senators who appear
4 not to have filed complete statements. The ethics committee

5 shall require any senator who appears not to have filed a
6 complete statement to appear before the committee.

7 7. Members of the general assembly are urged to familiarize
8 themselves with chapter 68B and chapter 722 of the Code.

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

12 9. No senator shall charge to the state of Iowa amounts
13 for travel and expenses unless the senator actually has
14 incurred those mileage and expense costs. Senators shall
15 not file the vouchers for weekly mileage reimbursement required
16 by section two point ten (2.10), subsection one (1), of the
17 Code unless the travel was actually incurred at commensurate
18 expense to the senator.

19 10. Complaints against any member of the general assembly
20 or any lobbyist shall be in writing, made under oath and filed
21 with the ethics committee of the house in which the legislator
22 is a member or of the house in which the lobbyist operates.
23 If the ethics committee determines that the complaint sets
24 out an apparent violation of the law or Code of Ethics or
25 Rules Governing Lobbyists, it shall set the matter for hearing,
26 notify the accused of his or her right to appear in person,
27 to be represented by counsel, to present statements and
28 evidence and to cross-examine witnesses. The committee shall
29 hold a hearing and consider all relevant evidence and shall
30 make its recommendations to the appropriate house.

Read first time and placed on calendar.

BILL REFERRED TO COMMITTEE

Senator Slater asked unanimous consent that Senate File 207 be referred from the Regular Calendar to the committee on State Government.

Senator Slater withdrew his request.

Senator Hultman asked and received unanimous consent that Senate File 207 be referred from the Regular Calendar to the committee on State Government.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator DeKoster called up the Report of Investigating Committee for Thomas H. Huston as Superintendent of Banking, filed January 27, 1981, found on page 238 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator DeKoster moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Holden Rodgers

The Chair declared the appointment confirmed.

Senator Drake called up the Report of Investigating Committee for Barbara J. Dunn as a member of the State Transportation Commission, filed January 28, 1981, found on page 247 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Goodwin

The Chair declared the appointment confirmed.

Senator Drake called up the Report of Investigating Committee for Delmar Van Horn as a member of the State Transportation Commission filed January 28, 1981, found on page 247 of the Senate Journal and moved it adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery

Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Drake called up the Report of Investigating Committee for Fred E. McKim as a member of the Iowa Railway Finance Authority, filed January 28, 1981, found on page 246 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Drake called up the Report of Investigating Committee for O.R. Woods as a member of the Iowa Railway Finance

Authority, filed January 28, 1981, found on page 246 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Drake called up the Report of Investigating Committee for Mark A. Wampler as a member of the Iowa Railway Finance Authority, filed January 28, 1981, found on page 246 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman

Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Gallagher

The Chair declared the appointment confirmed.

Senator Drake called up the Report of Investigating Committee for Charles Crawford as a member of the Iowa Railway Finance Authority, filed January 28, 1981, found on page 246 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.:

Absent or not voting, 1:

Miller, A.V.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Robert W. Schlutz as a member of the Environmental Quality Commission, filed January 28, 1981, found on page 245 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Miller, A.V.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for John Hagie as a member of the Environmental Quality Commission, filed January 28, 1981, found on page 244 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Ann Frenzen as a member of the Environmental Quality Commission, filed January 28, 1981, found on page 244 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

DeKoster Miller, A.V.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Clark A. Yeager as a member of the Environmental Quality Commission, filed January 28, 1981, found on page 245 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Kudart
Lura	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Jensen Miller, A.V.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for James I. Middleswart as a member of the Environmental Quality Commission, filed January 28, 1981, found on page 245 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Comito Jensen

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Mary McNutt as a member of the Environmental Quality Commission, filed February 2, 1981, found on page 299 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher

Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Allan T. Thoms as a member of the Environmental Quality Commission, filed February 2, 1981, found on page 299 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Richard L. Timmerman as a member of the Environmental Quality Commission, filed February 2, 1981, found on page 299 of

the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Barbara Tollefson as a member of the Environmental Quality Commission, filed February 2, 1981, found on page 300 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester

Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Lura called up the Report of Investigating Committee for E.J. (Gene) Paul, Ph.D., as a member of the Professional and Occupational Regulation Commission, filed January 28, 1981, found on page 247 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Lura moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Nystrom called up the Report of Investigating Committee for Earl M. Yoder as a member of the Iowa Housing Finance Authority, filed January 28, 1981, found on page 245 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Nystrom moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Lura

The Chair declared the appointment confirmed.

Senator Jensen called up the Report of Investigating Committee for William J. Bestmann as Director of the Iowa Development Commission, filed January 29, 1981, found on page 278 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Jensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery

Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Readerger

The Chair declared the appointment confirmed.

Senator Ramsey called up the Report of Investigating Committee for James E. Huyser, as a member of the Energy Policy Council, filed January 29, 1981, found on page 278 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Ramsey moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readerger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Jensen

The Chair declared the appointment confirmed.

Senator Kudart called up the Report of Investigating Committee for Charlotte Mohr, as a member of the Iowa Natural Resources Council, filed February 3, 1981, found on pages 318-319 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Kudart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Hulse called up the Report of Investigating Committee for Peter L.J. Pasher, as a member of the Public Employment Relations Board, filed February 3, 1981, found on page 318 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Hulse moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Hultman called up the appointment of Kathryn E. Gammack as a member of the State Board of Medical Examiners placed on the Individual Confirmation Calendar on February 3, 1981.

Senator Hultman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Van Gilst	Waldstein	Wells
Yenger			

Nays, 4:

Bisenius Comito Miller, C.P. Vande Hoef

Absent or not voting, 1:

Jensen

The Chair declared the appointment confirmed.

Senator Gratias called up the Report of Investigating Committee for Dianne L.D. Paca, as a member of the State Board of Public Instruction, filed February 4, 1981, found on pages 332-333 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Gratias moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comitò	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

Senator Nystrom called up the Report of Investigating Committee for Earl M. Yoder, as a member of the Iowa Housing Finance Authority, filed February 9, 1981, found on page 367 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Nystrom moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointment confirmed.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate on Monday, February 9, 1981, because of illness.

Had I been present, I would have voted "aye" on Senate Files 13, 50, 146, 147, 148, 158 and 159. I would have voted "nay" on amendment S—3039 to Senate File 13.

C. W. BILL HUTCHINS

COMMUNICATION

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

DEPARTMENT OF PUBLIC INSTRUCTION

Copies of the final reports of the special education evaluations for Area Education Agencies 1, 7, 12, 15, and 16, prepared as a result of site visits conducted by the Division of Special Education staff.

REPORT OF INVESTIGATING COMMITTEE

Pursuant to Senate Rule 58, the Committee on Education assigned to investigate the character and qualifications of Jon H. Kneen, Ottumwa, Wapello County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of Section 257.1, 1979 Code of Iowa, for the unexpired portion of a term ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON EDUCATION
ARTHUR L. GRATIAS, Chairperson

FURTHER REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on page 349 of the Senate Journal.

Final Bill Action: Senate File 228, a bill for an act repealing a requirement for transference of certain male prisoners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Baugher and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 383 of the Senate Journal.

Final Bill Action: Senate File 225, a bill for an act relating to retainage withheld from payment to contractors under contracts for public improvements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 10, 1981, 9:15 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Continuation of Institutional Plan Presentation—26 Options.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 10, 1981, 9:25 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Nystrom.

Members Absent: Hutchins (excused).

Other Committee Business: Subcommittee approved and submitted SSB 235 to the full Appropriations committee; presentation of 1982-83 budget requests for Department of Public Instruction by Mrs. Sue Wilson, President, State Board of Public Instruction and Dr. Robert Benton, State Superintendent.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 10, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Discussed and forwarded budget recommendations for this fiscal year to full Appropriations committee.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 10, 1981, 9:15 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Subcommittee approved and submitted SSB 228 to the full Appropriations committee.

Adjourned: 9:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 10, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Andrew Varley, Commerce Commissioner, presented budget for Commerce Commission; Bruce Foudree, Insurance Commissioner, presented budget for Insurance Department; discussion and recommendations followed.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 10, 1981, 9:35 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef (arrived 10:20 a.m.).

Members Absent: none.

Other Committee Business: Deferred Child Day Care Center, proposed bill LSB 1419S 69; subcommittee approved and submitted LSB 148H 69 relating to Fiscal year '81 budget reductions to the full Appropriations committee.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 10, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Approved committee bill for '81 appropriations; budget presentations by the Bureau of Labor and the Office for Planning and Programming.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 10, 1981, 9:45 a.m.

Members Present: Bisenius, Chairperson; Anderson and Drake.

Members Absent: Coleman, Ranking Member and Holden (excused).

Other Committee Business: Budget presentation of the Iowa Crime Commission.

Adjourned: 11:45 a.m.

ENERGY

Convened: February 11, 1981, 1:30 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Briles (arrived 1:35 p.m.), Doyle, Kudart, Readinger, Rodgers and Yenger (arrived 1:36 p.m.).

Members Absent: none.

Final Bill Action: Senate File 152, a bill for an act providing that manufacturers and nonresident vendors shall not sell pilot lights commencing two years after the commerce commission has certified an alternative ignition device for a gas appliance.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Ramsey, Bisenius, Gallagher, Anderson, Briles, Doyle, Kudart, Readinger, Rodgers and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:43 p.m.

ETHICS

Convened: February 5, 1981, 12:10 p.m.

Members Present: Taylor, Chairperson; Kinley, Ranking Member; Craft, Deluhery and Readinger; appointed nonlegislative members Mr. Mowry and Mr. Gentry.

Members Absent: none.

Final Bill Action: Senate Resolution 6, a resolution providing for the Senate Rules Governing Lobbyists for the Sixty-ninth General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 7: Taylor, Kinley, Craft, Deluhery, Readinger, Mowry and Gentry. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate Resolution 7, a resolution providing for the Senate Code of Ethics for the Sixty-ninth General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 7: Taylor, Kinley, Craft, Deluhery, Readinger, Mowry and Gentry. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:40 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	193	Natural Resources
S. F.	194	Commerce
S. F.	195	Education
S. F.	196	Human Resources
S. F.	197	State Government
S. F.	198	Agriculture
S. F.	202	Education
S. F.	203	Ways and Means
S. F.	204	Agriculture
S. F.	205	Cities
S. F.	206	Commerce
S. F.	208	Agriculture
S. F.	209	County Government
S. F.	210	Education
S. F.	211	Labor and Industrial Relations
S. F.	212	Ways and Means
S. F.	214	State Government
S. F.	215	State Government
S. J. R.	5	Ways and Means

STUDY BILLS RECEIVED

S.S.B. 234 Appropriations

Reducing appropriations for various executive and judicial agencies and capital projects for the fiscal year beginning July 1, 1980 and making the Act effective upon publication.

S.S.B. 235 Appropriations

To provide reductions in appropriations to certain educational agencies for the fiscal year beginning July 1, 1980, and to provide that the Act takes effect upon its publication.

S.S.B. 236 Appropriations

Decreasing the appropriation made for the fiscal year beginning July 1, 1980 to the salary adjustment fund and making the Act effective upon publication.

S.S.B. 237 Appropriations

Relating to the reduction of certain appropriations to the department of social services for the fiscal year beginning July 1, 1980, and ending June 30, 1981, effective upon publication.

S.S.B. 238 Appropriations

Relating to inspections of beauty salons and barber shops, effective upon publication.

S.S.B. 239 Appropriations

Relating to the funding of specified programs of the state department of health and Iowa department of veterans affairs during the fiscal year beginning July 1, 1980, and ending June 30, 1981, effective upon publication.

S.S.B. 240 State Government

Relating to the closing day for elector registration.

S.S.B. 241 Appropriations

Appropriating funds from the general fund of the state to the Iowa law enforcement academy, department of public safety, and state department of transportation for the fiscal year beginning July 1, 1980, and ending June 30, 1981, effective upon publication.

S.S.B. 242 Appropriations

Relating to the funding of specified mental health agencies and services during the fiscal year beginning July 1, 1980, and ending June 30, 1981, effective upon publication.

S.S.B. 243 Appropriations

Relating to the sale by the department of social services of the two state-owned child day care centers.

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:40 p.m., until 9:00 a.m., Thursday, February 12, 1981.

Note: For explanation of brackets and italics, see page 58 of the Senate Journal.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 12, 1981

The Senate met in regular session at 9:12 a.m., President Branstad presiding.

Prayer was offered by the Reverend Darrel Gerrietts, pastor of the St. Pauls American Lutheran Church, Rockwell City, Iowa.

The Journal of Wednesday, February 11, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joe Sperry, M.D., Harlan, Iowa.

INTRODUCTION OF BILLS

Senate File 229, by Schwengels, Craft, Tieden, Goodwin, Carney, Junkins, Van Gilst, Nystrom, Hultman and Murray, a bill for an act to provide income tax credits for permanent soil and water conservation projects, effective January 1 following enactment.

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

Senate File 230, by Holden, a bill for an act relating to the person to whom notice of garnishment is served in a school district.

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

Senate File 231, by Drake, Schwengels and Slater, a bill for an act providing for the inclusion of health insurance policies of benefits for the treatment of mental and nervous disorders.

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

Senate File 232, by Drake, a bill for an act relating to retirement benefits for members of certain public safety retirement systems and to make an appropriation.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:20 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 233, by Kinley, a bill for an act relating to the regulation and inspection of food service establishments, food and beverage vending machines, and hotels.

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

Senate File 234, by Kinley, a bill for an act relating to the possession of offensive weapons.

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

Senate File 235, by Kinley and Jensen, a bill for an act to prohibit the possession and operation of a radar jamming device and providing a penalty.

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

Senate File 236, by Ramsey, Schwengels, Briles, Miller of Cerro Gordo, Small, Nystrom, Yenger, Slater and Junkins, a bill for an act relating to the purposes for which funds from a tax levied by a county can be used by a nonprofit historical society.

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

Senate File 237, by Committee on Ways and Means, a bill for an act providing for the allocation and apportionment of capital gains and losses for purposes of computing the state corporate income and franchise taxes and making the provisions retroactive.

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

Senate File 238, by Miller of Des Moines, a bill for an act changing the date of the end to the Vietnam Conflict for purposes of the military service property tax exemption.

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

Senate File 239, by Miller of Des Moines, a bill for an act to prohibit the amendment of a complaint filed under chapter 805 or to permit the defendant to plead guilty to any charge other than the charge specified in the complaint.

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

Senate File 240, by Miller of Des Moines, Priebe, Tieden and Hutchins, 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 if the distribution results in intoxication.

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

Senate File 241, by Miller of Des Moines, a bill for an act providing for reimbursement of or payment for health care services rendered by physicians as defined in section 135.1, and adopting penalties.

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

INTRODUCTION OF RESOLUTION

SENATE RESOLUTION 8

By: Committee on Rules and Administration

- 1 *Whereas*, section 2.32, subsection 7, requires the
- 2 governor to provide the secretary of the senate with
- 3 a list of all gubernatorial appointments requiring
- 4 senate confirmation during this session by February
- 5 first; and
- 6 *Whereas*, this information has been submitted and
- 7 is on file in the office of the secretary of the
- 8 senate; and
- 9 *Whereas*, that subsection also requires that the
- 10 senate by resolution approve the list or request
- 11 corrections by February fifteenth; *Now Therefore*,
- 12 *Be It Resolved by the Senate*, That the following
- 13 list of appointments submitted by the governor
- 14 pursuant to section 2.32, subsection 7, and on file
- 15 with the secretary of the senate is approved:
- 16 Accountancy, Board of
- 17 2 terms commencing 5-1-81 and ending 4-30-84
- 18 Advisory Investment Board (IPERS)

- 19 2 terms commencing 5-1-81 and ending 4-30-87
- 20 Architectural Examiners, Board of
- 21 3 terms commencing 5-1-81 and ending 4-30-84
- 22 Banking, Superintendent of
- 23 1 term commencing 5-1-81 and ending 4-30-85
- 24 Barber Examiners, State Board of
- 25 1 unexpired portion of a term ending 4-30-82
- 26 2 terms commencing 5-1-81 and ending 4-30-84
- 27 Beer and Liquor Control Council, Iowa
- 28 1 term commencing 5-1-81 and ending 4-30-86
- 29 Blind, Commission for the
- 30 1 term commencing 7-1-80 and ending 4-30-83

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- 1 1 term commencing 5-1-81 and ending 4-30-84
- 2 Campaign Finance Disclosure Commission
- 3 1 term commencing 5-1-81 and ending 4-30-87
- 4 Chiropractic Examiners, State Board of
- 5 3 terms commencing 5-1-81 and ending 4-30-84
- 6 Civil Rights Commission, Iowa State
- 7 4 terms commencing 5-1-81 and ending 4-30-85
- 8 Commerce Commission, Iowa State
- 9 1 term commencing 5-1-81 and ending 4-30-87
- 10 Conservation Commission, State
- 11 3 terms commencing 5-1-81 and ending 4-30-87
- 12 Cosmetology Examiners, State Board of
- 13 2 terms commencing 5-1-81 and ending 4-30-84
- 14 1 unexpired portion of a term ending 4-30-82
- 15 County Finance Committee
- 16 2 terms commencing 5-1-81 and ending 4-30-85
- 17 Credit Union Review Board
- 18 1 term commencing 7-1-80 and ending 4-30-83
- 19 2 terms commencing 5-1-81 and ending 4-30-84
- 20 Crime Commission, Iowa
- 21 3 terms commencing 5-1-81 and ending 4-30-85
- 22 Dental Examiners, State Board of
- 23 3 terms commencing 5-1-81 and ending 4-30-84
- 24 Development Commission, Director of
- 25 Vacancy - to serve at the pleasure of the Governor
- 26 Energy Policy Council
- 27 2 terms commencing 5-1-81 and ending 4-30-85
- 28 2 unexpired portions of terms ending 4-30-81
- 29 Engineering Examiners, State Board of
- 30 1 unexpired portion of a term ending 4-30-83
- 31 3 terms commencing 5-1-81 and ending 4-30-84

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- 1 Environmental Quality Commission

- 2 4 initial terms commencing 1-1-81 and ending 4-30-83
- 3 5 initial terms commencing 1-1-81 and ending 4-30-85
- 4 Family Farm Development Authority, Iowa
- 5 3 initial terms commencing 7-1-80 and ending 4-30-82
- 6 3 initial terms commencing 7-1-80 and ending 4-30-84
- 7 3 initial terms commencing 7-1-80 and ending 4-30-86
- 8 Health Facilities Council, State
- 9 1 unexpired portion of a term ending 4-30-81
- 10 1 unexpired portion of a term ending 4-30-83
- 11 2 terms commencing 5-1-81 and ending 4-30-87
- 12 Hearing Aid Dealers, Board of Examiners for
- 13 2 terms commencing 5-1-81 and ending 4-30-84
- 14 Housing Finance Authority, Iowa
- 15 1 unexpired portion of a term ending 4-30-81
- 16 1 unexpired portion of a term ending 4-30-83
- 17 3 terms commencing 5-1-81 and ending 4-30-87
- 18 Job Service Advisory Council
- 19 3 terms commencing 5-1-81 and ending 4-30-87
- 20 Judicial Nominating Commission, State
- 21 1 unexpired portion of a term ending 4-30-81
- 22 1 unexpired portion of a term ending 4-30-85
- 23 2 terms commencing 5-1-81 and ending 4-30-87
- 24 Judicial Qualifications, Commission on
- 25 1 term commencing 5-1-81 and ending 4-30-87
- 26 Labor Commissioner
- 27 1 term commencing 5-1-81 and ending 4-30-83
- 28 Landscape Architectural Examiners, Board of
- 29 3 terms commencing 5-1-81 and ending 4-30-84
- 30 Law Enforcement Academy Council, Iowa

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- 1 2 unexpired portions of terms ending 4-30-84
- 2 2 terms commencing 5-1-81 and ending 4-30-85
- 3 Medical Examiners, State Board of
- 4 1 unexpired portion of a term ending 4-30-81
- 5 1 unexpired portion of a term ending 4-30-82
- 6 3 terms commencing 7-1-80 and ending 4-30-83
- 7 3 terms commencing 5-1-81 and ending 4-30-84
- 8 Mental Health, State Advisory Council for
- 9 1 unexpired portion of a term ending 4-30-82
- 10 4 terms commencing 7-1-80 and ending 4-30-83
- 11 4 terms commencing 5-1-81 and ending 4-30-84
- 12 Merit Employment Commission
- 13 2 terms commencing 5-1-81 and ending 4-30-87
- 14 Mortuary Science Examiners, State Board of
- 15 2 terms commencing 5-1-81 and ending 4-30-84
- 16 Natural Resources Council, Iowa
- 17 1 unexpired portion of a term ending 4-30-85

- 18 3 terms commencing 5-1-81 and ending 4-30-87
- 19 Nursing Examiners, State Board of
- 20 3 terms commencing 5-1-81 and ending 4-30-84
- 21 Nursing Home Administrators, Board of Examiners for
- 22 1 unexpired portion of a term ending 4-30-82
- 23 2 terms commencing 5-1-81 and ending 4-30-84
- 24 Occupational Safety and Health Review Commission
- 25 1 term commencing 7-1-80 and ending 4-30-86
- 26 Optometry Examiners, State Board of
- 27 3 terms commencing 5-1-81 and ending 4-30-84
- 28 Parole, Iowa Board of
- 29 1 unexpired portion of a term ending 4-30-83
- 30 1 term commencing 5-1-81 and ending 4-30-86

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- 1 Pharmacy Examiners, State Board of
- 2 3 terms commencing 5-1-81 and ending 4-30-84
- 3 Physical and Occupational Therapy Examiners, State Board of
- 4 1 initial term commencing 1-1-81 and ending 4-30-83
- 5 1 initial term commencing 1-1-81 and ending 4-30-84
- 6 1 unexpired portion of a term ending 4-30-82
- 7 1 term commencing 7-1-80 and ending 4-30-83
- 8 2 terms commencing 5-1-81 and ending 4-30-84
- 9 Podiatry Examiners, State Board of
- 10 2 terms commencing 5-1-81 and ending 4-30-84
- 11 Professional and Occupational Regulation Commission
- 12 1 unexpired portion of a term ending 4-30-83
- 13 2 terms commencing 5-1-81 and ending 4-30-85
- 14 Psychology Examiners, State Board of
- 15 3 terms commencing 5-1-81 and ending 4-30-84
- 16 1 unexpired portion of a term ending 4-30-81
- 17 Public Employment Relations Board
- 18 1 term commencing 7-1-80 and ending 4-30-84
- 19 Public Health, Commissioner of
- 20 1 term commencing 5-1-81 and ending 4-30-85
- 21 Public Instruction, State Board of
- 22 1 unexpired portion of a term ending 4-30-84
- 23 1 term commencing 7-1-80 and ending 4-30-86
- 24 Railway Finance Authority, Iowa
- 25 2 initial terms commencing 7-1-80 and ending 4-30-82
- 26 2 initial terms commencing 7-1-80 and ending 4-30-84
- 27 1 initial term commencing 7-1-80 and ending 4-30-86
- 28 Real Estate Commission, Iowa
- 29 2 terms commencing 5-1-81 and ending 4-30-84
- 30 Regents, State Board of
- 31 1 unexpired portion of a term ending 4-30-83

Page 6

- 1 3 terms commencing 5-1-81 and ending 4-30-87
- 2 Social Services, Council on

- 3 1 term commencing 5-1-81 and ending 4-30-87
4 Soil Conservation Committee, State
5 3 terms commencing 5-1-81 and ending 4-30-87
6 Speech Pathology and Audiology Examiners, State Board of
7 2 terms commencing 5-1-81 and ending 4-30-84
8 Substance Abuse, Director of Department of
9 1 term commencing 5-1-81 and ending 4-30-85
10 Tax Review, State Board of
11 1 term commencing 5-1-81 and ending 4-30-87
12 Transportation Commission, State
13 2 terms commencing 7-1-80 and ending 4-30-84
14 2 terms commencing 5-1-81 and ending 4-30-85
15 Transportation Regulation Board
16 1 term commencing 5-1-81 and ending 4-30-87
17 Veterinary Medicine Examiners, State Board of
18 2 terms commencing 5-1-81 and ending 4-30-84
19 Watchmaking Examiners, State Board of
20 3 terms commencing 5-1-81 and ending 4-30-84
21 Waterworks and Waste Waterworks Operators, Board of
22 Certification of
23 1 term commencing 7-1-80 and ending 4-30-83
24 2 initial terms commencing 1-1-81 and ending 4-30-84
25 2 terms commencing 5-1-81 and ending 4-30-84

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 49 present, 1 absent and a quorum present.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 11, 1981, when the vote to confirm William J. Bestmann as Director of the Iowa Development Commission was taken.

Had I been present, I would have voted "aye".

DAVID M. READINGER

BILLS ASSIGNED TO COMMITTEE

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

S. F.	216	Agriculture
S. F.	217	Ways and Means
S. F.	218	Education
S. F.	219	Transportation
S. F.	220	Human Resources
S. F.	221	Commerce
S. F.	222	Education
S. F.	223	State Government
S. F.	224	Agriculture
S. F.	226	Energy
S. F.	227	Agriculture
S. J. R.	7	Ways and Means
H. F.	73	Agriculture
H. F.	157	Education
H. F.	211	Judiciary
H. F.	235	State Government
H. F.	282	Judiciary

STUDY BILLS RECEIVED

S.S.B. 244 County Government

Relating to county taxes, funds, budgeting and accounting.

S.S.B. 245 Energy

Authorizing a manufacturer or distributor to refuse to pay the refund value and handling charge on empty beverage containers under certain circumstances.

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointment to a standing committee for investigation on February 12, 1981.

Reappointment as a member of the State Board of Medical Examiners—Kathryn Gammack—State Government Committee.

CALVIN O. HULTMAN, Chairperson

SUBCOMMITTEE ASSIGNMENT FOR
GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 58, the following Senators were appointed to a subcommittee of a standing committee:

STATE GOVERNMENT: For reappointment as a member of the State Board of Medical Examiners:

KATHRYN GAMMACK
Schwengels, Chairperson
Gentlemen
Carr

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 10, 1981, 8:05 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein.

Members Absent: Hutchins, Ranking Member.

Other Committee Business: Assigned House File 53 to subcommittee; discussion of SSB 169; approved SSB 135.

Adjourned: 8:35 a.m.

CITIES

Convened: February 11, 1981, 3:08 p.m.

Members Present: Readinger, Chairperson; A. Miller, Ranking Member; Carney, Holden, Kinley, Slater, Waldstein and Wells.

Members Absent: Comito, Vice Chairperson.

Other Committee Business: Assigned Senate File 191 to subcommittee; presentations by William P. Angrick II, Citizens' Aide/Ombudsman; Mike Miller, City Development Board and James Lynch, Planning and Programming.

Adjourned: 3:50 p.m.

COMMERCE

Convened: February 11, 1981, 1:30 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, Craft, DeKoster (arrived 1:45 p.m.), Husak, Jensen, Priebe and Rush.

Members Absent: none.

Other Committee Business: Discussed SSB 134.

Adjourned: 2:30 p.m.

JUDICIARY

Convened: February 11, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Coleman, Doyle, Dreeszen, Lura, Ramsey, Small, Taylor, Deluhery and Murray (arrived 3:35 p.m.).

Members Absent: Carr.

Other Committee Business: Assigned bills to subcommittees; approved SSB 53.

Adjourned: 4:00 p.m.

NATURAL RESOURCES

Convened: February 11, 1981, 2:30 p.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden, Gallagher, Hutchins and Rodgers.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; approved SSB 48, SSB 67 and SSB 206.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: February 12, 1981, 8:35 a.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Kinley, Ranking Member; Holden and Junkins.

Members Absent: Ramsey.

Final Bill Action: Senate Resolution 8, a resolution regarding the procedures concerning appointments by the Governor in compliance with section 2.32 of the Code.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hultman, Hulse, Holden, Junkins and Kinley. Nays, none. Absent or not voting, 1: Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved committee amendments to Senate Rules.

Adjourned: 8:50 a.m.

STATE GOVERNMENT

Convened: February 12, 1981, 3:05 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer and Tieden.

Members Absent: Schwengels (excused).

Final Bill Action: Senate File 207, a bill for an act establishing the rate of interest payable on certain delinquent taxes owed to the state.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gentleman, C. Miller and Tieden. Nays, 3: Gallagher, Hutchins and Palmer. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:15 p.m.

WAYS AND MEANS

Convened: February 12, 1981, 1:40 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: none.

Final Bill Action: Senate File 237, a bill for an act providing for the allocation and apportionment of capital gains and losses for purposes of computing the state corporate income and franchise taxes and making the provisions retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Craft, Readinger, Rodgers, Hester, Holden, Hultman, Husak, Rush, Taylor, Van Gilst and Ramsey. Nays, 4: Lura, Palmer, Priebe and Junkins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved SSB 81 as a committee bill.

Adjourned: 2:00 p.m.

AMENDMENTS FILED

S-3062	S. F.	177	Bob Rush
S-3063	S. F.	110	Elvie L. Dreeszen
S-3064	S. F.	130	James E. Briles

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Friday, February 13, 1981.

JOURNAL OF THE SENATE

THIRTY-THIRD CALENDAR DAY
 TWENTY-FIRST SESSION DAY

Senate Chamber
 Des Moines, Iowa, Friday, February 13, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Paul Vande Hoef, pastor of the Heritage Reformed Church, Hudsonville, Michigan, and the brother of Senator Vande Hoef.

The Journal of Thursday, February 12, 1981, was approved.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 11, 1981

Ms. Linda Mackay
 Secretary of the Senate
 State Capitol Building
 LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Mary L. Mills, Muscatine, Muscatine County, Iowa, for reappointment as a member of the Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
 ROBERT D. RAY
 Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Joy Corning, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the Iowa Housing Finance Authority pursuant to Section 220.2, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Elmer H. Vermeer, Sioux Center, Sioux County, Iowa, for reappointment as a member of the Iowa Housing Finance Authority pursuant to Section 220.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Frank A. Metzger, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1981, 1984.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration.**

UNFINISHED BUSINESS
(Deferred February 9, 1981)

Senate File 1

The Senate resumed consideration of Senate File 1, a bill for an act relating to the limitation on garnishment, and amendment S—3057 by Senator Anderson, deferred on Monday, February 9, 1981.

Senator Hutchins asked and received unanimous consent that action on amendment S—3057 and **Senate File 1** be deferred.

UNFINISHED BUSINESS
(Deferred February 4, 1981)

Senate File 130

The Senate resumed consideration of Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of

county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties, deferred on Wednesday, February 4, 1981.

Senator Baugher offered amendment S—3061 filed by Senators Baugher and Readinger on February 10, 1981, to page 28 of the bill and moved its adoption.

Amendment S—3061 was adopted by a voice vote.

Senator Kinley offered amendment S—3054 filed by Senators Kinley and Rush on February 5, 1981, to pages 34 and 232 of the bill.

Senator Briles raised the point of order that amendment S—3054 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3054 out of order.

Senator Briles offered amendment S—3064 filed by him on February 12, 1981, to pages 41, 57 and 63 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 46, nays none.

Amendment S—3064 was adopted.

Senator Miller of Des Moines moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 130) the vote was:

Ayes, 46:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Palmer	Priebe	Readinger	Rodgers

Rush
Tieden
Wells

Schwengels
Vande Hoef
Yenger

Slater
Van Gilst

Taylor
Waldstein

Nays, none.

Absent or not voting, 4:

Junkins

Nystrom

Ramsey

Small

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

IMMEDIATELY MESSAGED

Senator Briles asked and received unanimous consent that **Senate File 130** be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 149.

Senate File 149

On motion of Senator Jensen, Senate File 149, a bill for an act relating to joint meetings of members of boards of an area education agency and its corresponding merged area, was taken up for consideration.

Senator Jensen asked and received unanimous consent that **House File 233** be substituted for **Senate File 149**.

House File 233

On motion of Senator Jensen, House File 233, a bill for an act relating to joint meetings of members of boards of an area education agency and its corresponding merged area, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 233) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rodgers
Rush	Schwengels	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

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

WITHDRAWN

Senator Jensen asked and received unanimous consent that **Senate File 149** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 171.

Senate File 171

On motion of Senator Drake, Senate File 171, a bill for an act providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review or modification, was taken up for consideration.

Senator Drake asked and received unanimous consent that **House File 236** be substituted for **Senate File 171**.

House File 236

On motion of Senator Drake, House File 236, a bill for an act providing that the state comptroller shall approve the quarterly allotment of funds appropriated subject to the governor's review or modification, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 236) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Palmer	Readinger	Rodgers	Rush
Schwengels	Slater	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Gratias	Nystrom	Priebe	Ramsey
Small			

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

WITHDRAWN

Senator Drake asked and received unanimous consent that Senate File 171 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 172

On motion of Senator Drake, Senate File 172, a bill for an act to establish short term liquor licenses and beer permits, was taken up for consideration.

Senator Holden offered amendment S—3058 filed by him on February 9, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3058 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 172) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Palmer	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 2:

Gallagher	Taylor
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Absent or not voting, 3:

Nystrom	Priebe	Small
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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 Hultman asked and received unanimous consent to take up out of order Senate File 177.

Senate File 177

On motion of Senator Rush, Senate File 177, a bill for an act relating to the liability of the industrial loan guaranty fund for acts

and omissions of the auditor of state, was taken up for consideration.

Senator Rush offered amendment S—3062 filed by him on February 12, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3062 was adopted by a voice vote.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 177) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Nystrom Small

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

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 177** be immediately messaged to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Resolution 5

On motion of Senator Gentleman, Senate Resolution 5, a resolution recognizing the legislative service of Philip E. Burks, Research Supervisor of the Legislative Service Bureau, filed January 28, 1981, and found on pages 242-243 of the Senate Journal, was taken up for consideration.

Senator Gentleman moved the adoption of Senate Resolution 5, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 116

On motion of Senator Hester, Senate File 116, a bill for an act relating to the state fair board convention, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **Senate File 116 be deferred.**

BUSINESS PENDING

Senate File 1

The Senate resumed consideration of Senate File 1 and amendment S—3057 by Senator Anderson, previously deferred.

Senator Palmer offered amendment S—3065 filed by him from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3065 be adopted?" (S.F. 1) the vote was:

Ayes, 18:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Dreeszen	Gallagher
Hutchins	Kinley	Miller, C.P.	Palmer
Priebe	Rodgers	Slater	Small
Van Gilst	Wells		

Nays, 29:

Baugher	Bisenius	Briles	Carney
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Comito	Craft	DeKoster	Drake
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Husak	Jensen
Kudart	Lura	Miller, A.V.	Murray
Ramsey	Readinger	Rush	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Absent or not voting, 3:

Hultman	Junkins	Nystrom
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Amendment S—3065 lost.

Senator Anderson moved the adoption of amendment S—3057 to page 1 of the bill, previously deferred, and requested a record roll call.

On the question “Shall amendment S—3057 be adopted?” (S.F. 1) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Drake	Gallagher
Husak	Hutchins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Slater	Small	Tieden	Van Gilst
Wells	Yenger		

Nays, 24:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Jensen	Kudart
Lura	Murray	Ramsey	Readinger
Rush	Schwengels	Taylor	Vande Hoef

Absent or not voting, 4:

Hultman	Junkins	Nystrom	Waldstein
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Amendment S—3057 lost.

Senator Anderson offered amendment S—3059 filed by him on February 9, 1981, to page 1 of the bill.

Senator Anderson asked and received unanimous consent that action on amendment S—3059 and **Senate File 1** be deferred.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration Senate Resolution 8.

Senate Resolution 8

On motion of Senator Hultman, Senate Resolution 8, a resolution providing a list of gubernatorial appointments in compliance with Section 2.32, Code 1981, filed February 12, 1981, and found on pages 433-437 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 8, which motion prevailed by a voice vote.

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

The Senate resumed session, President Branstad presiding.

BILL REFERRED TO COMMITTEE

President Branstad announced that **Senate File 213** was referred from the Regular Calendar to the committee on **State Government**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 13

Senator Rush withdrew the motion to reconsider Senate File 13, a bill for an act relating to deposit of public funds, filed by him on February 10, 1981, and found on page 380 of the Senate Journal, thereby also withdrawing the motion to reconsider amendment S—3043.

INTRODUCTION OF BILLS

Senate File 242, by Rush, a bill for an act providing that the commerce commission shall assess public utilities for expenses related to rate matters at six-month intervals.

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

Senate File 243, by Brown, a bill for an act relating to profiting from inmates held in custody and providing a penalty.

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

Senate File 244, by Schwengels, a bill for an act relating to mortgage loan disclosure, reporting, and record-keeping.

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

Senate File 245, by Schwengels, Baugher, Holden, Tieden, Carney, Goodwin and Murray, a bill for an act providing a maximum statute of limitations for actions arising out of improvements to real property.

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

Senate File 246, by Dreeszen, a bill for an act making the possession of fireworks a simple misdemeanor.

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

Senate File 247, by Kinley, a bill for an act to authorize the establishment of a consolidated government for a county, providing for its organization and operation, providing for the imposition of local taxes by the consolidated government, and subjecting violators to penalties.

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

Senate File 248, by DeKoster, a bill for an act providing that fraternal life insurance associations and nonprofit hospital and medical service corporations are subject to the insurance premium tax.

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

Senate File 249, by Yenger, Slater, Waldstein, Van Gilst, Carr, Husak, Readinger, Gratias and Gallagher, a bill for an act prescribing certain rights for residents of health care facilities and providing penalties for violations.

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

Senate File 250, by Yenger, Slater, Tieden, Anderson, Wells, Readinger, Carr, Gallagher, Briles, Rodgers and Bisenius, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse racing meets, imposing taxes and fees and providing for their use and disbursement, declaring certain acts to be unlawful, and prescribing penalties for the commission of those acts.

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

Senate File 251, by Committee on Natural Resources, a bill for an act relating to the reciprocity of certain fish and game licenses for nonresidents.

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

Senate File 252, by Committee on Natural Resources, a bill for an act exempting persons hunting on game breeding and shooting preserves from having a wildlife habitat stamp or a pheasant stamp.

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

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 8

By: Taylor, Gratias and Jensen

1 *Whereas*, alcohol is America's worst drug causing
2 more illness, injury and death than all other drugs
3 combined; and

4 *Whereas*, the national institute on alcohol abuse
5 and alcoholism in its 1975 report to Congress estimated
6 the costs to the United States of the excessive use of
7 alcohol at \$42,750,000,000; and

8 *Whereas*, the ignorance of the dangers in the use of
9 alcoholic beverages is widespread and there is an
10 urgent need to alert our citizens to the dangers and
11 to inform the public of these dangers especially the
12 facts that using alcoholic beverages too fast and too
13 much in a short period of time can cause sickness or
14 death, may impair driving ability, may create dependence
15 or addiction, and during pregnancy may harm the unborn;

16 and

17 *Whereas*, efforts in the past have been inadequate to
18 the educational needs of our people; and

19 *Whereas*, many warnings on labels of other drugs and
20 products have been helpful in reducing a multitude of
21 problems arising out of unwise use of such products
22 and the warnings on cigarette packages and in advertise-
23 ments have produced many beneficial results; and

24 *Whereas*, a proper concise limited warning on the
25 labels of alcoholic beverage bottles would perform a
26 very helpful function in causing people to seek detailed
27 information about the dangers in the use of alcohol,
28 and in many circumstances would be preferable to other
29 forms of government action, which might be more intrusive
30 or more costly; *Now Therefore*,

Page 2

1 *Be It Resolved by the Senate, the House Concurring,*
2 That the Iowa General Assembly urges the Congress of
3 the United States to pass a bill to mandate a warning
4 label on all alcoholic beverage bottles sold in
5 interstate commerce, and that due consideration be
6 given to a proposed warning with the following text:

7 **WARNING**

8 **USING THIS PRODUCT:**

9 Too fast may cause sickness or death;

10 May impair driving ability;

11 May create dependence or addiction; and

12 During pregnancy may harm the unborn

13 **LEGAL AGE REQUIRED FOR PURCHASE;**

14 and

15 *Be It Further Resolved*, That copies of this resolution
16 be forwarded to members of the Iowa congressional
17 delegation, the Speaker of the United States house of
18 representatives, the President of the United States
19 senate, and the chairpersons of the Senate and House
20 Committees to which such bills may be referred.

Read first time and passed on file.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE JOINT RESOLUTION 4

Ways and Means
 Craft, Chairperson
 Rodgers
 Hester

SENATE FILE 133

Education
 Anderson, Chairperson
 Jensen
 Carney

SENATE FILE 151

Education
 Carney, Chairperson
 Small
 Taylor

SENATE FILE 162

Education
 Jensen, Chairperson
 Carney
 Anderson

SENATE FILE 169

Education
 DeKoster, Chairperson
 Small
 Taylor

SENATE FILE 174

Judiciary
 Murray, Chairperson
 Rush
 DeKoster

SENATE FILE 178

Judiciary
 Ramsey, Chairperson
 Rush
 DeKoster
 Doyle
 Murray

SENATE FILE 132

Appropriations
 Appropriations Subcommittee on
 State Government

SENATE FILE 135

Appropriations
 (Special Salaries Committee)
 Murray, Chairperson
 Palmer
 Hultman
 Jensen
 Slater

SENATE FILE 160

Ways and Means
 Lura, Chairperson
 Hester
 Van Gilst

SENATE FILE 164

Education
 Brown, Chairperson
 Wells
 Dreeszen

SENATE FILE 173

Commerce
 Jensen, Chairperson
 Comito
 Rush

SENATE FILE 176

Natural Resources
 Tieden, Chairperson
 Goodwin
 Hutchins

SENATE FILE 179

State Government
 Lura, Chairperson
 Schwengels
 C. Miller

SENATE FILE 180

State Government
 Craft, Chairperson
 Gentleman
 Palmer

SENATE FILE 184

Labor and Industrial Relations
 Goodwin, Chairperson
 Hultman
 Kinley

SENATE FILE 189

State Government
 Palmer, Chairperson
 Briles
 Gentleman

SENATE FILE 191

Cities
 Readinger, Chairperson
 Kinley
 Carney

**SENATE CONCURRENT
 RESOLUTION 5**

Rules and Administration
 Hultman, Chairperson
 Holden
 Junkins

**HOUSE CONCURRENT
 RESOLUTION 6**

State Government
 Lura, Chairperson
 Slater
 Schwengels

SSB 206

Natural Resources
 Schwengels, Chairperson
 Van Gilst
 Tieden

SSB 212

Commerce
 Holden, Chairperson
 Jensen
 Deluhery

SENATE FILE 181

State Government
 C. Miller, Chairperson
 Gentleman
 Briles

SENATE FILE 186

State Government
 Lura, Chairperson
 Briles
 Carr

SENATE FILE 190

State Government
 Slater, Chairperson
 Gentleman
 Schwengels

SENATE FILE 192

Judiciary
 Kudart, Chairperson
 Doyle
 Small

HOUSE FILE 53

Agriculture
 Dreeszen, Chairperson
 Hutchins
 Taylor

SSB 162

County Government
 Priebe, Chairperson
 Wells
 Briles

SSB 211

Judiciary
 Carr, Chairperson
 Kudart
 Taylor

SSB 213

Natural Resources
 Schwengels, Chairperson
 Goodwin
 Van Gilst

SSB 217

Labor and Industrial Relations
 Gratias, Chairperson
 Hulse
 Wells

SSB 219

Commerce
 DeKoster, Chairperson
 Comito
 Rush

SSB 222

Judiciary
 Rush, Chairperson
 Lura
 Taylor

SSB 227

Natural Resources
 Van Gilst, Chairperson
 Schwengels
 Hutchins

SSB 231

Energy
 Briles, Chairperson
 Ramsey
 Gallagher
 Readinger
 Rodgers

SSB 233

Energy
 Kudart, Chairperson
 Ramsey
 Anderson

SSB 218

Commerce
 Holden, Chairperson
 DeKoster
 Husak

SSB 220

Commerce
 Holden, Chairperson
 DeKoster
 Husak

SSB 223

Judiciary
 Coleman, Chairperson
 Baugher
 Taylor

SSB 229

Judiciary
 Taylor, Chairperson
 Coleman
 Small

SSB 232

Energy
 Ramsey, Chairperson
 Anderson
 Doyle
 Kudart
 Readinger

The following special Appropriations committee on salaries has been appointed:

John S. Murray, Chairperson
 William D. Palmer
 Calvin O. Hultman
 John W. Jensen
 Tom Slater

REPORT OF THE COMMITTEE
 ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: The committee on memorial resolutions has ascertained the

names of former members of the Senate who have become deceased and appoints the following committees to prepare suitable memorial resolutions.

Billingsley, John W., Newton

Joe Brown, Chairperson
Mick Lura
Bass Van Gilst

Hoeven, Charles B., Alton

Lucas, J. DeKoster, Chairperson
Berl E. Priebe
Richard Vande Hoef

Walter, Orval C., Lenox

James. E. Briles, Chairperson
Dick Ramsey
Norman Rodgers

DALE L. TIEDEN, Chairperson
C. W. BILL HUTCHINS
MICK LURA
BASS VAN GILST

STUDY BILLS RECEIVED

S.S.B. 246 Judiciary

Relating to dissolution of marriage, providing for summary dissolution of marriage.

S.S.B. 247 Agriculture

Relating to the Iowa beef industry council.

S.S.B. 248 Agriculture

Relating to administrative rules establishing general construction standards for non-public water wells and creating a permit system covering the withdrawal of water for most industrial, municipal or agricultural purposes.

FURTHER REPORT OF COMMITTEE MEETING

NATURAL RESOURCES*

*A previous report of this meeting was recorded on page 440 of the Senate Journal.

Final Bill Action: Senate File 251, a bill for an act relating to the reciprocity of certain fish and game licenses for nonresidents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Gallagher, Hutchins and Rodgers. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

NATURAL RESOURCES*

*A previous report of this meeting was recorded on page 440 of the Senate Journal.

Final Bill Action: Senate File 252, a bill for an act exempting persons hunting on game breeding and shooting preserves from having a wildlife habitat stamp or a pheasant stamp.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Gallagher, Hutchins and Rodgers. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 12, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: The Institutional Plan presentation was continued by Ron Stehl on Mitchellville, Rockwell City and Toledo; Ray Connell, Ombudsman for the Prison Systems, gave his views on the Corrections Department.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 12, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Presentations by the Commission on the Status of Women and the State Board of Nursing Examiners.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 12, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Iowa Geological Survey and the Iowa Natural Resources Council.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 12, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Ronald Mosher, State Comptroller and Dale Nelson, Director of Comptroller's Data Processing, appeared and presented their budgets; Ed Longnecker, Job Service appeared and presented the budgets for F.O.A.B. & I.O.A.SI Administration and IPERS Administration; Robert Landess, Industrial Commissioner presented the budget for the Commission; discussion and recommendations followed.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 12, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Budget presentation by Bob Tyson, Office for Planning and Programming.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 12, 1981, 9:45 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson (arrived 10:25 a.m.), Drake (arrived 9:55 a.m.) and Holden.

Members Absent: none.

Other Committee Business: Budget presentation by the Iowa National Guard.

Adjourned: 11:45 a.m.

APPROPRIATIONS

Convened: February 12, 1981, 4:05 p.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush, Schwengels, Slater, Small (arrived 4:10 p.m.), Van Gilst, Waldstein and Yenger.

Members Absent: none.

Other Committee Business: Considered the following study bills: SSB 228, SSB 234, SSB 235, SSB 236, SSB 237, SSB 239, SSB 241 and SSB 242 with each study bill being rereferred to the proper Senate Appropriations subcommittee.

Adjourned: 4:30 p.m.

HUMAN RESOURCES

Convened: February 12, 1981, 12:24 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson (arrived 1:47 p.m.); C. Miller, Ranking Member (arrived 12:44 p.m.); Drake (arrived 12:42 p.m.), Gratias, Hulse and Vande Hoef.

Members Absent: Carr, Coleman, A. Miller (excused), Nystrom (excused) and Slater.

Other Committee Business: Mental Health reorganization views presented by guest speakers: Charles Palmer, Director, Division Mental Health Resources, DDS; Vic Elias, Human Resources Coordinator, Iowa State Association of Counties; Elodie Manternach, Governor Service Coordinator, Association for Retarded Citizens; Judy Dierenfeld, Executive Director, Commission Mental Health Association; Sally Cunningham, Staff Coordinator, Mental Health Advisory Council, DDS; Dee Malena, Executive Director, Mental Health Association of Iowa and Robert L. Runkle, Black Hawk-Grundy Mental Health Center.

Adjourned: 2:00 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate Resolution 5, the following technical correction was made:

1. Page 1, line 29, the words "will make" were changed to "made".

LINDA HOWARTH MACKAY
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. F.	229	Ways and Means
S. F.	230	Commerce
S. F.	231	Commerce
S. F.	232	State Government
S. F.	233	State Government
S. F.	234	Judiciary
S. F.	235	Judiciary
S. F.	236	County Government
S. F.	238	Ways and Means
S. F.	239	Judiciary
S. F.	240	Judiciary
S. F.	241	Commerce

AMENDMENTS FILED

S—3065

S. F. 1 William D. Palmer

S—3066	S. F.	1	William D. Palmer
S—3067	S. F.	1	Richard Comito
			Ted Anderson
			Sue Yenger

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 11:10 a.m., until 10:00 a.m., Monday, February 16, 1981.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 16, 1981

The Senate met in regular session at 10:04 a.m., President Branstad presiding.

Prayer was offered by Rabbi Barry Cytron of the Tifereth Israel Synagogue, Des Moines, Iowa.

The Journal of Friday, February 13, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Slater for today, February 17 and 18, 1981, on request of Senator Junkins; Senator Comito for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 253, by Waldstein, Gallagher and Ramsey, a bill for an act relating to the permissible format of electric and gas bills.

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

Senate File 254, by Waldstein, Holden, Baugher and Deluhery, a bill for an act to require state depository financial institutions to give written disclosure of all transactions on mortgage loan escrow accounts.

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

Senate File 255, by Small and Ramsey, a bill for an act adopting the uniform comparative fault Act in relation to actions to recover damages for injury or death of persons or harm to property.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the day on request of Senator Hultman.

MOTION TO RECONSIDER WITHDRAWN

Senate File 159

Senator Gentleman withdrew the motion to reconsider Senate File 159, a bill for an act relating to the gross weight and operation of certain multi-axle vehicles and combinations of vehicles subject to penalties provided by law, filed by her on February 9, 1981, and found on page 372 of the Senate Journal.

MOTION TO RECONSIDER DEFERRED

Senate File 146

Senator Schwengels asked and received unanimous consent that his motion to reconsider on Senate File 146, filed by him on February 10, 1981, and found on page 380 of the Senate Journal, be deferred.

UNFINISHED BUSINESS (Deferred February 13, 1981)

Senate File 1

The Senate resumed consideration of Senate File 1, a bill for an act relating to the limitation on garnishment, and amendment S—3059 by Senator Anderson, deferred on Friday, February 13, 1981.

Senator Anderson offered amendment S—3067 filed by Senators Comito, Anderson and Yenger on February 13, 1981, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3067 be adopted?" (S.F. 1) the vote was:

Ayes, 21:

Anderson	Brown	Carr	Coleman
Craft	Deluhery	Doyle	Drake
Gallagher	Hutchins	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rodgers	Tieden	Van Gilst
Wells			

Nays, 24:

Baughner	Briles	Carney	DeKoster
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Kudart	Lura	Murray
Nystrom	Ramsey	Rush	Schwengels
Small	Taylor	Vande Hoef	Waldstein

Absent or not voting, 5:

Bisenius	Comito	Jensen	Slater
Yenger			

Amendment S—3067 lost.

The Senate resumed consideration of amendment S—3059 by Senator Anderson to page 1 of the bill, deferred on February 13, 1981.

Senator Anderson asked and received unanimous consent that action on amendment S—3059 be temporarily deferred.

Senator Palmer offered amendment S—3066 filed by him on February 13, 1981, to page 1 of the bill, moved its adoption and requested a roll call.

On the question "Shall amendment S—3066 be adopted?" (S.F. 1) the vote was:

Ayes, 25:

Anderson	Briles	Brown	Carr
Coleman	Deluhery	Doyle	Dreeszen
Gallagher	Hulse	Husak	Hutchins
Junkins	Kinley	Lura	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Small	Tieden	Van Gilst	Waldstein
Wells			

Nays, 18:

Baughner	Craft	DeKoster	Drake
Gentleman	Goodwin	Hester	Holden
Hultman	Kudart	Murray	Nystrom
Ramsey	Readinger	Rush	Schwengels
Taylor	Vande Hoef		

Absent or not voting, 7:

Bisenius	Carney	Comito	Gratias
Jensen	Slater	Yenger	

Amendment S—3066 was adopted.

Senator Palmer offered amendment S—3068 filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S—3068 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that action on amendment S—3059 and **Senate File 1** be **deferred**.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration Senate Resolution 6.

Senate Resolution 6

On motion of Senator Taylor, Senate Resolution 6, a resolution providing for the Senate rules governing lobbyists for the sixty-ninth general assembly, filed February 11, 1981, and found on pages 397-402 of the Senate Journal, was taken up for consideration.

Senator Taylor moved the adoption of Senate Resolution 6, which motion prevailed by a voice vote.

Senator Hultman asked and received unanimous consent to take up for consideration Senate Resolution 7.

Senate Resolution 7

On motion of Senator Taylor, Senate Resolution 7, a resolution providing for the Senate code of ethics for the sixty-ninth general assembly, filed February 11, 1981, and found on pages 402-405 of the Senate Journal, was taken up for consideration.

Senator Taylor moved the adoption of Senate Resolution 7, which motion prevailed by a voice vote.

BUSINESS PENDING

Senate File 1

The Senate resumed consideration of Senate File 1 and amendment S—3059, previously deferred.

Senator Anderson withdrew amendment S—3059 to page 1 of the bill.

Senator Anderson offered amendment S—3069 filed by Senators Anderson and DeKoster from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3069 be adopted?" (S.F. 1) the vote was:

Ayes, 19:

Anderson	Baughner	Brown	Carr
Coleman	DeKoster	Doyle	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Murray	Palmer	Rodgers	Rush
Van Gilst	Wells	Yenger	

Nays, 27:

Briles	Carney	Craft	Deluhery
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Kudart
Lura	Nystrom	Priebe	Ramsey
Readinger	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 4:

Bisenius	Comito	Jensen	Slater
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Amendment S—3069 lost.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

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

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Baughner	Briles	Carr	Craft
Drake	Dreeszen	Hutchins	Junkins
Kinley	Kudart	Lura	Miller, C.P.
Murray	Ramsey	Rodgers	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 24:

Anderson	Brown	Carney	Coleman
DeKoster	Deluhery	Doyle	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Miller, A.V.	Nystrom	Palmer	Priebe
Readinger	Rush	Schwengels	Yenger

Absent or not voting, 4:

Bisenius	Comito	Jensen	Slater
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The bill not having received 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 1 failed to pass the Senate on February 16, 1981.

WILLIAM D. PALMER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3066 to Senate File 1 was adopted by the Senate on February 16, 1981.

MICK LURA

INTRODUCTION OF BILLS

Senate File 256, by Rush and Murray, a bill for an act relating to the powers of credit unions as these relate to amendment of bylaws, reciprocity, amount to be loaned to a member, merger, language contained in a share draft instrument, share draft reserves, and gifts to minors.

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

Senate File 257, by Rush and Bisenius, a bill for an act to protect public employees from personal actions as reprisals for disclosing waste, mismanagement, or violations of law, providing for investigation of complaints by the citizens' aide, and making agencies which violate this Act subject to an order of mandamus.

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

Senate File 258, by Committee on Transportation, a bill for an act to provide that implements of husbandry shall be subject to maximum axle and gross vehicle weight limitations.

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

Senate File 259, by Committee on Transportation, a bill for an act to increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title.

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

Senate File 260, by Committee on Transportation, a bill for an act to provide for the payment of reinstatement fees for motor vehicle licenses revoked or suspended under the nonresident violators compact.

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

Senate File 261, by Kudart, a bill for an act relating to the control or eradication of the multiflora rose and making appropriations.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 11:40 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate Joint Resolution 6.

Senate Joint Resolution 6

On motion of Senator Lura, Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution, was taken up for consideration.

Senator Lura moved that the resolution be read the last time now, which motion prevailed by a voice vote, and the resolution was read the last time.

Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Article III, Legislative Department, Constitution of the State of Iowa, is amended by adding the following new section:

NEW SECTION. The general assembly may void an administrative rule of a state agency by the passage of a resolution by both the house of representatives and the senate.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause it to be published for three consecutive months previous to the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (S.J.R. 6) the vote was:

Yeas, 37:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Comito	Craft
Doyle	Drake	Dreeszen	Gallagher
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Lura	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Ramsey	Rodgers
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 9:

Carney	DeKoster	Deluhery	Gentleman
Kudart	Murray	Palmer	Readinger
Rush			

Absent or not voting, 4:

Bisenius	Jensen	Kinley	Slater
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The resolution having received a constitutional majority was declared to have been adopted and agreed to by the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 199

On motion of Senator Brown, Senate File 199, a bill for an act authorizing the appointment of legal counsel for county officers under certain circumstances, was taken up for consideration.

Senator Brown moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 199) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 31:

Anderson	Baughner	Briles	Brown
Carr	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Gentleman
Goodwin	Holden	Husak	Hutchins
Junkins	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Ramsey
Readinger	Small	Taylor	Van Gilst
Waldstein	Wells	Yenger	

Nays, 14:

Coleman	Dreeszen	Gallagher	Gratias
Hester	Hulse	Hultman	Lura
Priebe	Rodgers	Rush	Schwengels
Tieden	Vande Hoef		

Absent or not voting, 5:

Bisenius	Carney	Jensen	Kinley
Slater			

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 199 passed the Senate on February 16, 1981.

DICK RAMSEY

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 200

On motion of Senator Wells, Senate File 200, a bill for an act relating to the calendar of prisoners in the county jail or detention facility, was taken up for consideration.

Senator Wells moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 200) the vote was:

Ayes, 45:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Bisenius	Carney	Jensen	Kinley
Slater			

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

Senate File 201

On motion of Senator DeKoster, Senate File 201, a bill for an act relating to the conditions and limitations applicable to investments by life insurance companies and associations in indebtedness secured by interests in real property, was taken up for consideration.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 201) the vote was:

Ayes, 44:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray

Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Bisenius	Carney	Drake	Jensen
Kinley	Slater		

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

Senate File 152

On motion of Senator Lura, Senate File 152, a bill for an act providing that manufacturers and nonresident vendors shall not sell pilot lights commencing two years after the commerce commission has certified an alternative ignition device for a gas appliance, with report of committee recommending passage, was taken up for consideration.

Senator Lura offered amendment S—3049 filed by him on February 3, 1981, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 32, nays 11.

Amendment S—3049 was adopted.

Senator Junkins asked and received unanimous consent that action on **Senate File 152** be **deferred**.

INTRODUCTION OF RESOLUTION

SENATE RESOLUTION 9

By: Committee on Rules and Administration

1 *Be It Resolved by the Senate*, That Rule 58 of the permanent
2 rules of the senate for the sixty-ninth general assembly be
3 amended as follows:

CONFIRMATION OF APPOINTMENTS

4
5 Rule 58
6 Appointments

7 The secretary of the senate shall maintain a file of all
8 appointments received from the governor for confirmation.

9 The file shall contain a description of the duties and the
10 compensation for each nominee. The file shall show the date
11 an appointment was received from the governor, whether the
12 appointment letter was read to the senate, whether the nominee
13 has been introduced, and whether a committee report has been
14 filed.

15 *INVESTIGATING COMMITTEES.* All appointments received from
16 the governor shall be referred to the rules and administration
17 committee by the secretary of the senate on the same day they
18 are read to the senate. The rules and administration committee
19 shall establish an en bloc confirmation calendar which must
20 be filed with the secretary of the senate. Within five (5)
21 legislative days after receiving an appointment, the committee
22 shall either place a nominee on the en bloc confirmation
23 calendar or assign the nominee to an appropriate standing
24 committee for further investigation, publishing notice of
25 such assignment in the senate journal for the next legis-
26 lative day. If the rules and administration committee fails
27 to take action on a nominee within the five (5) days, the
28 nominee shall automatically be placed on the en bloc
29 confirmation calendar.

30 Within the five (5) legislative days after an appointment

Page 2

1 has been referred to the rules and administration committee,
2 any ten senators may require that the nominee be assigned
3 to an appropriate standing committee by filing a written,
4 signed request therefor with the chairperson of the rules
5 and administration committee. The committee chair shall refer
6 the appointment to a subcommittee within one (1) legislative
7 day after a standing committee receives an appointment for
8 further investigation, publishing notice of such assignment
9 in the senate journal for the next legislative day. Within
10 five (5) legislative days after a standing committee receives
11 an appointment for further investigation the subcommittee
12 shall file its report with the standing committee.

13 Within fourteen (14) legislative days after a standing
14 committee receives an appointment for further investigation,
15 the committee shall conduct an investigation of the nominee
16 and file its report thereon with the secretary of the senate,
17 who shall then place the nominee on the *en bloc calendar* or
18 individual confirmation calendar *as directed by the committee.*
19 The failure of a committee to file its report within the
20 prescribed time means that the nominee is to be automatically
21 placed, without recommendation, upon the individual
22 confirmation calendar.

23 Any senator within five (5) days following a nominee's
24 name being published in the journal may request that said
25 nominee be introduced to the full senate by submitting a

26 written request with the secretary of the senate. In any
27 event, all nominees who are referred by the rules and
28 administration committee to a standing committee shall be
29 introduced to the full senate prior to a vote on confirmation
30 of the nominee.

31 *HEARINGS.* Any member of a committee investigating an
32 appointment may obtain a hearing with the nominee by filing
33 a written request with the chair of the investigating committee
34 within five (5) legislative days after the committee receives
35 the appointment. At the hearing, which shall be before the

Page 3

1 investigating committee, the nominee may be questioned as
2 to his or her qualifications to fulfill the office to which
3 nominated and further questioned as to his or her viewpoints
4 on issues facing the office to which nominated. Notice of
5 the hearing shall be published in the journal at least three
6 (3) days prior to the hearing. Any senator may at the
7 discretion of the chair of the investigating committee be
8 permitted to submit oral questions. The public may, at the
9 discretion of the investigating committee, be permitted to
10 submit oral or written statements as to the qualifications
11 of the nominee.

12 Also, within five (5) days after the investigating committee
13 receives an appointment for investigation, any senator may
14 submit written questions to be answered by the nominee prior
15 to consideration of the nominee's confirmation by the senate.

16 *VOTING ON CONFIRMATIONS.* Upon the motion of the majority
17 leader or his or her designee, the nominees on the en bloc
18 confirmation calendar shall be confirmed en bloc by the
19 affirmative vote of two-thirds of the members elected to the
20 senate. The journal shall reflect a single roll call
21 accompanied by a statement of the names of those individuals
22 subject to the en bloc confirmation vote.

23 Prior to an en bloc vote, any senator may [orally] request
24 an individual vote on any nominee on the en bloc confirmation
25 calendar. The senate shall [then] vote separately on the
26 nominee.

27 Nominees on the individual confirmation calendar shall
28 be confirmed by a two-thirds vote; however, the senate shall
29 take a separate roll call on each nominee, unless by unanimous
30 consent, it determines to take one vote on all nominees under
31 consideration. In any case, the journal shall reflect a
32 single roll call vote for each nominee.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 262, by Committee on Natural Resources, a bill for an act to revise the regulation of land disturbing activities.

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

Senate File 263, by Committee on Ways and Means, a bill for an act authorizing the department of revenue to credit income and franchise tax refunds against the tax liability of the taxpayer.

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 February 13, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 232, a bill for an act relating to the funding of specified programs of the department of social services during the fiscal year beginning July 1, 1980, and ending June 30, 1981, and providing effective dates.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 232, a bill for an act relating to the funding of specified programs of the department of social services during the fiscal year beginning July 1, 1980, and ending June 30, 1981, and providing effective dates.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	242	Commerce
S. F.	243	Judiciary
S. F.	244	Commerce
S. F.	245	Judiciary
S. F.	246	Judiciary
S. F.	247	County Government
S. F.	248	Ways and Means
S. F.	249	Human Resources
S. F.	250	Ways and Means
S. C.R.	8	Commerce

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 1 failed to pass the Senate on February 16, 1981.

EDGAR H. HOLDEN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3066 to Senate File 1 was adopted by the Senate on February 16, 1981.

JAMES E. BRILES

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3049 to Senate File 152 was adopted by the Senate on February 16, 1981.

LOWELL L. JUNKINS

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to standing committees for investigation on February 16, 1981:

Iowa Housing Finance Authority—Elmer H. Vermeer—State Government Committee

Iowa Housing Finance Authority—Joy Corning—State Government Committee

CALVIN O. HULTMAN, Chairperson

FURTHER
REPORT OF COMMITTEE MEETING

NATURAL RESOURCES*

*A previous report of this meeting was recorded on page 440 of the Senate Journal.

Final Bill Action: Senate File 262, a bill for an act to revise the regulation of land disturbing activities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Gallagher, Hutchins and Rodgers. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

WAYS AND MEANS*

*A previous report of this meeting was recorded on page 442 of the Senate Journal.

Final Bill Action: Senate File 263, a bill for an act authorizing the department of revenue to credit income and franchise tax refunds against the tax liability of the taxpayer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Craft, Readinger, Rodgers, Hester, Hultman, Husak, Junkins, Palmer, Ramsey, Rush, Taylor and Van Gilst. Nays, 3: Holden, Lura and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 13, 1981, 8:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom (excused).

Other Committee Business: Revised and approved SSB 235; referred to the full Appropriations committee.

Adjourned: 8:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 13, 1981, 11:15 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, Kudart and A. Miller.

Members Absent: none.

Other Committee Business: Reconsidered and referred SSB 238 and SSB 239 to the full Appropriations committee.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 13, 1981, 8:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Goodwin and Hester.

Members Absent: Gallagher.

Other Committee Business: Subcommittee approved and submitted SSB 228 to the full Appropriations committee.

Adjourned: 8:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 13, 1981, 8:30 a.m.

Members Present: Jensen, Chairperson; Gratias, Hulse and C. Miller.

Members Absent: Rush, Ranking Member.

Other Committee Business: Subcommittee approved and submitted SSB 236, as revised, to the full Appropriations committee.

Adjourned: 8:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 13, 1981, 8:32 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Subcommittee approved and submitted SSB 237, as amended, to the full Appropriations committee.

Adjourned: 8:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 13, 1981, 9:45 a.m.

Members Present: Coleman, Ranking Member; Anderson and Drake.

Members Absent: Bisenius, Chairperson and Holden.

Other Committee Business: Approved and submitted SSB 241 to the full Appropriations committee.

Adjourned: 9:50 a.m.

RULES AND ADMINISTRATION

Convened: February 16, 1981, 11:45 a.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Kinley, Ranking Member; Holden, Junkins and Ramsey.

Members Absent: none.

Final Bill Action: Senate Resolution 9, a resolution amending the Senate Rules.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hultman, Hulse, Holden, Ramsey, Junkins and Kinley. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 11:50 a.m.

STATE GOVERNMENT

Convened: February 16, 1981, 1:32 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Briles (arrived 1:45 p.m.), Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: Slater, Ranking Member (excused).

Final Bill Action: House Concurrent Resolution 6, a resolution supporting the claims of ownership of Iowa lands brought by the Monona County Land Association in its endeavor to maintain ownership of the Iowa claimants to land that is subject to litigation.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Nystrom, Lura, Briles, Drake, Gallagher, Hutchins, Schwengels and Tieden. Nays, 2: Carr and Palmer. Absent or not voting, 4: Craft, Gentleman, C. Miller and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned subcommittees for Governor's appointees Elmer Vermeer and Joy Corning as members of the Iowa Housing Finance Authority; assigned bills to subcommittees; debate and action was deferred on LSB 1461 S.

Adjourned: 2:15 p.m.

TRANSPORTATION

Convened: February 12, 1981, 1:45 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom.

Members Absent: none.

Final Bill Action: Senate File 258, a bill for an act to provide that implements of husbandry shall be subject to maximum axle and gross vehicle weight limitations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Drake, Jensen, Bisenius, Comito, Doyle, Murray, Nystrom and A. Miller. Nays, 2: Coleman and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 259, a bill for an act to increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Drake, Jensen, Bisenius, Comito, Doyle, Hutchins, A. Miller and Nystrom. Nays, 1: Coleman. Absent or not voting, 1: Murray.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 260, a bill for an act to provide for the payment of reinstatement fees for motor vehicle licenses revoked or suspended under the nonresident violators compact.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Drake, Jensen, Bisenius, Comito, A. Miller and Doyle. Nays, 2: Coleman and Hutchins. Absent or not voting, 2: Murray and Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Adjourned: 2:25 p.m.

STUDY BILLS RECEIVED

S.S.B. 249 Commerce

Providing for a maximum finance charge of one and three-fourths percent per month on consumer credit transactions pursuant to open end credit.

S.S.B. 250 Human Resources

Relating to the registration of group day care home providers.

S.S.B. 251 Human Resources

Relating to the multidisciplinary team access to child abuse information.

PRESENTATION OF VISITOR

President Branstad welcomed the Honorable John A. Walker, former member of the Senate and the House of Representatives, from Hamilton and Hardin Counties, who was present in the Senate chamber.

PETITION

The following petition was presented and placed on file by:

Senator Hulse from one hundred sixty-six residents of Cedar,

Linn and Johnson Counties favoring legislation providing that earth sheltered and other energy efficient housing receive a state tax energy credit and lower interest rates for home loans.

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 1980 Iowa Railroad Analysis Update submitted to the Federal Railroad Administration as required by the United States Code of Federal Regulations.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 13, 1981, when the vote on amendment S—3067 to Senate File 1 was taken.

Had I been present I would have voted "aye".

SUE YENGER

AMENDMENTS FILED

S—3068	S. F.	1	William D. Palmer
S—3069	S. F.	1	Ted Anderson
			Lucas J. DeKoster
S—3070	S. F.	116	Jack W. Hester

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Tuesday, February 17, 1981.

Note: For explanation of brackets and italics, see page 58 of the Senate Journal.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 17, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Rudolf Trusheim, Fort Dodge District Superintendent of the Iowa United Methodist Churches, Fort Dodge, Iowa.

The Journal of Monday, February 16, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Driscoll, M.D., Iowa City, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Anderson, Deluhery and Gratias for the day on request of Senator Hultman.

BILLS REFERRED TO COMMITTEE

President Branstad announced that **Senate File 105** was referred to the committee on **Ways and Means** under Senate Rule 37 and **Senate File 207** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

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 February 13, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 12, a resolution relating to the Joint Memorial Session to be held March 31, 1981 at 7:30 p.m. in the House Chamber.

ALSO: That the House has on February 13, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 154, a bill for an act relating to the notice given before commencing an action for forcible entry or detention of real property and mobile homes and to judgments resulting therefrom.

ALSO: That the House has on February 13, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 155, a bill for an act to provide for the filing of applications to claim the personal property tax credit in even-numbered years when property is revalued and making the Act retroactive to January 1, 1981.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

HOUSE CONCURRENT RESOLUTION 12

By: Crabb

- 1 *Whereas*, it has been the custom to hold a biennial
 2 memorial session in recognition of the public services
 3 of departed members of the General Assembly; and
 4 *Whereas*, both Houses desire to participate in such
 5 an observance; *Now Therefore*,
 6 *Be It Resolved by the House of Representatives, the*
 7 *Senate Concurring*, That an evening session of the Sixty-
 8 ninth General Assembly be held in the House chamber
 9 Tuesday evening, March 31, 1981 at 7:30 p.m.
 10 *Be It Further Resolved*, That a joint committee of
 11 eight members be appointed, four from the Senate to be
 12 appointed by the President of the Senate, and four from
 13 the House to be appointed by the Speaker of the House,
 14 to make suitable arrangements for a joint memorial session.

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

House File 154, a bill for an act relating to the notice given before commencing an action for forcible entry or detention of real property and mobile homes and to judgments resulting therefrom.

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

House File 155, a bill for an act to provide for the filing of applications to claim the personal property tax credit in even-numbered years when property is revalued and making the Act retroactive to January 1, 1981.

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

INTRODUCTION OF BILLS

Senate File 264, by Craft, a bill for an act requiring the sentencing judge and the prosecuting attorney to provide the board of parole with certain information.

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

Senate File 265, by Carr and Ramsey, a bill for an act relating to the cancellation of accident and health insurance policies.

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

Senate File 266, by Hester, a bill for an act relating to the reclassification of highways and streets, effective upon publication.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:10 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF BILL

Senate File 267, by Briles, a bill for an act permitting fox or coyote to be taken with the aid of artificial light.

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

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 12, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Catherine G. Williams, Des Moines, Polk County, Iowa, for appointment as a member of the State Health Facilities Council pursuant to Section 135.62, 1981 Code of Iowa, for an unexpired portion of a term ending April 30, 1981, and a regular six-year term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	253	Commerce
S. F.	254	Commerce
S. F.	255	Judiciary
S. F.	256	Commerce
S. F.	257	State Government
S. F.	261	Agriculture
H. F.	232	Appropriations

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3068 to Senate File 1 was adopted by the Senate on February 16, 1981.

EDGAR H. HOLDEN

STUDY BILLS RECEIVED

S.S.B. 252 Ways and Means

Relating to franchisors basing rents on actual use of property.

S.S.B. 253 Transportation

Authorizing the use of railroad assistance funds for the restoration, conservation, and improvement of railroad main lines, terminals, switching yards, and sidings.

S.S.B. 254 State Government

To provide that the officers, agents, inspectors, and investigators of the board of medical examiners have the powers of peace officers when enforcing the chapter on continuing education and licensee discipline.

S.S.B. 255 State Government

Relating to the fees and licenses issued by the department of agriculture.

S.S.B. 256 State Government

Relating to the licensing of real estate salespersons, associate brokers and brokers.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 13, 1981, 8:45 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Subcommittee approved and submitted SSB 242 to the full Appropriations Committee.

Adjourned: 8:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 16, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Budget presentations by the Office of the Citizens' Aide and the Iowa Arts Council.

Adjourned: 11:40 a.m.

AGRICULTURE

Convened: February 17, 1981, 8:10 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, A. Miller, Vande Hoef, Van Gilst and Waldstein.

Members Absent: Husak.

Final Bill Action: Senate File 105, a bill for an act relating to the valuation of land used for wildlife habitat purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Taylor, Hester, Hutchins, Dreeszen, Hulse, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; announced public hearing to be held Wednesday evening, February 18, pertaining to pipeline construction.

Adjourned: 8:40 a.m.

COMMERCE

Convened: February 16, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Craft, DeKoster, Husak, Priebe and Rush.

Members Absent: Comito and Jensen.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 212 and SSB 226.

Adjourned: 4:00 p.m.

EDUCATION

Convened: February 16, 1981, 1:35 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Small, Taylor and Wells.

Members Absent: Jensen (excused).

Other Committee Business: Assigned bills to subcommittees; Senate File 164 discussed, but final action deferred.

Adjourned: 2:40 p.m.

HUMAN RESOURCES

Convened: February 16, 1981, 3:05 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman, Gratias, Hulse, A. Miller (arrived 3:07 p.m.), Drake and Vande Hoef.

Members Absent: Nystrom and Slater (excused).

Other Committee Business: Assigned bills to subcommittees; discussed SSB 193.

Adjourned: 4:00 p.m.

AMENDMENTS FILED

S—3071	S. F.	152	Gary L. Baugher
S—3072	S. F.	259	Richard F. Drake Alvin V. Miller
S—3073	S. F.	225	Richard F. Drake
S—3074	S. F.	28	Arthur A. Small, Jr.
S—3075	S. F.	116	Berl E. Priebe
S—3076	S. F.	116	Berl E. Priebe

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Wednesday, February 18, 1981.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
 TWENTY-FOURTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, February 18, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Jim Morris, pastor of the Staves Memorial United Methodist Church, Des Moines, Iowa.

The Journal of Tuesday, February 17, 1981, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the day on request of Senator Junkins.

INTRODUCTION OF BILLS

Senate File 268, by Committee on Judiciary, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services.

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

Senate File 269, by Schwengels and Briles, a bill for an act relating to the transfer of authority to control, manage, direct, and operate the Iowa veterans home, to the Iowa department of veterans affairs.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

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

The Senate resumed session, President Branstad 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 February 16, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 112, a bill for an act relating to the accounting for pay periods, effective upon publication.

ALSO: That the House has on February 16, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 177, a bill for an act relating to the liability of the industrial loan guaranty fund for acts and omissions of the auditor of state.

ALSO: That the House has on February 16, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 9, a resolution relating to the transfer of various highways and streets among the three governmental jurisdictions.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 9

By: Committee on County Government

1 *Whereas*, the implementation of functional classifi-
2 cation has taken place as of July 1, 1979 as directed
3 by Chapter 1108 of the Acts of the Sixty-seventh
4 General Assembly; and

5 *Whereas*, the implementation involves the transfer
6 of various highways and streets among the three
7 governmental jurisdictions; and

8 *Whereas*, fuel tax increases and jurisdictional per-
9 centage allocations from the road use tax fund as
10 provided in Chapter 1108 of the Acts of the Sixty-
11 seventh General Assembly were based, in part, on
12 the functional classification in effect on January 1
13 1973, on the number of miles of highways and streets
14 which were candidates for transfer under that classi-
15 fication and on the highway and street needs assigned
16 to those transfers for each jurisdiction, as for
17 example, effective January 1, 1973 the counties would
18 have a net gain of 431 miles of former primary

19 highways at an assigned annual increase in needs of
 20 \$10.9 million; and
 21 *Whereas*, since the passage of Chapter 1108 of the
 22 Acts of the Sixty-seventh General Assembly, the
 23 diminution in the road use tax fund has resulted in
 24 increased revenues to the three governmental juris-
 25 dictions of only about 50% of the amount anticipated
 26 and, at the same time, the dollar needs amounts
 27 assigned to the transferred highways and streets has
 28 increased dramatically due to inflation; while
 29 appeals of the 1973 functional classifications that
 30 have already been filed and are proposed to be filed

Page 2

1 could more than double the net mileage of primary
 2 roads for which the counties would be benefited than
 3 was envisioned during consideration of Chapter 1108 of
 4 the Acts of the Sixty-seventh General Assembly; and
 5 *Whereas*, the financial circumstances and the mileages
 6 involved have changed substantially since Chapter 1108
 7 of the Acts of the Sixty-seventh General Assembly was
 8 passed to the point that those jurisdictions receiving
 9 a net increase in mileage will find it very difficult
 10 to provide necessary and desired services to their
 11 respective systems of highways and streets; *Now*
 12 *Therefore*,
 13 *Be It Resolved by the House of Representatives, the*
 14 *Senate Concurring*, That jurisdictional transfers of
 15 roads or streets as required by Chapter 1108 of the
 16 Acts of the Sixty-seventh General Assembly be
 17 restricted to classifications of record as of January 1,
 18 1973 until the enactment of legislation which compen-
 19 sates state, county and municipal jurisdictions for
 20 additional highway, road or street needs resulting
 21 from the transfers; and
 22 *Be It Further Resolved*, That notwithstanding the
 23 foregoing, future transfers of jurisdiction should
 24 take place if agreements are entered into by the
 25 jurisdictional divisions of government involved in
 26 the transfer of the roads and streets.

Read first time and passed on file.

HOUSE AMENDMENT TO SENATE FILE 112

S-3077

1 Amend Senate File 112, as amended and passed by
 2 the Senate, as follows:

- 3 1. Page 1, by striking lines 20 and 21 and
 4 inserting in lieu thereof the following: "shall
 5 commence with the first day of a pay period as
 6 specified by the general assembly."

INTRODUCTION OF BILLS

Senate File 270, by Carney, Tieden and Miller of Des Moines, a bill for an act relating to extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday.

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

Senate File 271, by Committee on County Government, a bill for an act requiring the brand be recorded on the bill of sale for cattle sold through sale barns, stockyards, and packing plants and providing a penalty.

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

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 9

By: Craft, Baugher, Hester, Kinley,
 Junkins, Carr and Drake

- 1 *Whereas*, western coal, because of its low sulfur
 2 content, is a primary fuel for the generation of
 3 electricity in Iowa; and
 4 *Whereas*, most of the coal burned in electric
 5 generating stations in Iowa comes from the states of
 6 Wyoming and Montana; and
 7 *Whereas*, the states of Wyoming and Montana currently
 8 charge coal severance taxes totaling 17 percent and
 9 30 percent respectively - taxes not at all related to
 10 the costs of extracting this coal or reclaiming the
 11 land; and
 12 *Whereas*, these severance taxes amount to a windfall
 13 profit for those states mentioned; and
 14 *Whereas*, the electric utility companies in Iowa
 15 and ultimately their customers pay these exorbitant
 16 taxes, estimated at almost 82 million dollars over
 17 the next five years; *Now Therefore*,
 18 *Be It Resolved by the Senate, the House Concurring*,
 19 That the Congress of the United States is urged to act
 20 favorably upon legislation calling for a 12.5 percent
 21 ceiling on coal severance taxes; and

22 *Be It Further Resolved*, That a copy of this resolu-
 23 tion be forwarded to each member of the Iowa congres-
 24 sional delegation.

Read first time and passed on file.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the afternoon on request of Senator Junkins.

UNFINISHED BUSINESS (Deferred February 13, 1981)

Senate File 116

The Senate resumed consideration of Senate File 116, a bill for an act relating to the state fair board convention, deferred on Friday, February 13, 1981.

Senator Hester offered amendment S—3070 filed by Senators Hester and Van Gilst on February 16, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3070 was adopted by a voice vote.

Senator Priebe offered amendment S—3075 filed by him on February 17, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3075 was adopted by a voice vote.

Senator Priebe offered amendment S—3076 filed by him on February 17, 1981, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3076 be adopted?" (S.F. 116) the vote was:

Ayes, 15:

Anderson	Brown	Coleman	Doyle
Husak	Hutchins	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Rush	Tieden	Wells	

Nays, 25:

Bisenius	Briles	Carney	Carr
Comito	Craft	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Kudart
Lura	Nystrom	Schwengels	Small
Taylor	Vande Hoef	Van Gilst	Waldstein
Yenger			

Absent or not voting, 10:

Baughner	DeKoster	Deluhery	Gratias
Jensen	Murray	Ramsey	Readinger
Rodgers	Slater		

Amendment S—3076 lost.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 116) the vote was:

Ayes, 40:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 10:

Baughner	DeKoster	Deluhery	Gratias
Jensen	Murray	Ramsey	Readinger
Rodgers	Slater		

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 146

Senator Schwengels withdrew the motion to reconsider Senate File 146, a bill for an act relating to procedures for construction, repair and improvement of public buildings, filed by him on February 10, 1981, and found on page 380 of the Senate Journal.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 228.

Senate File 228

On motion of Senator Doyle, Senate File 228, a bill for an act repealing a requirement for transference of certain male prisoners, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 228) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Deluhery	Gratias	Murray	Ramsey
Rodgers	Slater		

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

UNFINISHED BUSINESS
(Deferred February 16, 1981)

Senate File 152

The Senate resumed consideration of Senate File 152, a bill for an act providing that manufacturers and nonresident vendors shall not sell pilot lights commencing two years after the commerce commission has certified an alternative ignition device for a gas appliance, deferred on Monday, February 16, 1981.

Senator Junkins withdrew the motion to reconsider amendment S—3049 to Senate File 152 filed by him on February 16, 1981, and found on page 481 of the Senate Journal.

The Chair ruled amendment S—3071 filed by Senator Baugher on February 17, 1981, to strike everything after the enacting clause of the bill, out of order.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 152) the vote was:

Ayes, 42:

Anderson	Baugher	Bisenius	Carney
Carr	Coleman	Comito	Craft
DeKoster	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Readinger	Rush	Schwengels	Small
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 3:

Briles	Brown	Tieden
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Absent or not voting, 5:

Deluhery	Gratias	Ramsey	Rodgers
Slater			

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 237.

Senate File 237

On motion of Senator Taylor, Senate File 237, a bill for an act providing for the allocation and apportionment of capital gains and losses for purposes of computing the state corporate income and franchise taxes and making the provisions retroactive, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 237) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Kinley	Kudart	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 2:

Junkins	Lura
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Absent or not voting, 3:

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

Senate File 251

On motion of Senator Van Gilst, Senate File 251, a bill for an act relating to the reciprocity of certain fish and game licenses for nonresidents, was taken up for consideration.

Senator Van Gilst moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 251) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

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

Senate File 252

On motion of Senator Goodwin, Senate File 252, a bill for an act exempting persons hunting on game breeding and shooting preserves from having a wildlife habitat stamp or a pheasant stamp, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 252) the vote was:

Ayes, 45:

Anderson	Baugher	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein.	Wells
Yenger			

Nays, 1:

DeKoster

Absent or not voting, 4:

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate Resolution 9.

Senate Resolution 9

On motion of Senator Hultman, Senate Resolution 9, a resolution providing for an amendment to Rule 58 of the Permanent Rules of the Senate for the Sixty-Ninth General Assembly, filed February 16, 1981, and found on pages 477-479 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 9, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 225.

Senate File 225

On motion of Senator Drake, Senate File 225, a bill for an act relating to retainage withheld from payment to contractors under contracts for public improvements, was taken up for consideration.

Senator Drake offered amendment S—3079 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3079 was adopted by a voice vote.

Senator Drake offered amendment S—3073 filed by him on February 17, 1981, to pages 1 and 2 of the bill.

Senator Drake asked and received unanimous consent that action on amendment S—3073 and **Senate File 225** be **deferred**.

Senator Craft took the chair at 5:30 p.m.

APPENDIX

COMMUNICATIONS

The following communications were filed with the Secretary of the Senate on February 12, 1981:

February 12, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

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

These include 12 claims of a general nature. This supplements our filing of December 22, 1980.

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

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

Receipt of the above is hereby acknowledged.

LINDA HOWARTH MACKAY
Secretary of the Senate

OFFICE STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
6683-69-25	Howard Bomgaars Maurice Transportation refund nonpublic schools	\$ 160.00	Disapproved
6761-69-25	Mary Alice Whalen Dubuque Outdated billing	844.30	Disapproved
6812-69-25	Charles Peterson, M.D. Des Moines Title XIX Payment	225.00	Disapproved

6847-69-25	Americana Health Care Center Davenport Title XIX Payment	1,178.00	Disapproved
6868-69-25	Ronald M. Larson, M.D. Mason City Title XIX Payment	260.00	Disapproved
6869-69-25	Charles R. Peterson, M.D. Des Moines Title XIX Payment	82.00	Disapproved
6910-69-25	Clytie Chaney Malvern Back Wages	100.00	Disapproved
6913-69-25	Lawrence T. Kalmes St. Donatus Prorate Refund	933.83	Disapproved
9650-69-25	Dan S. Loukaitis Exira License Refund	201.15	Disapproved
9651-69-25	LaCrosse Lutheran Hospital LaCrosse, Wisconsin Title XIX Payment	1,566.75	Disapproved
9659-69-25	Danny Earl Gantenbein East Dubuque, Illinois License Refund	538.00	Disapproved
9771-69-25	Tamara Kay Schmidt Cedar Falls Refund Wrecker Bill	23.69	Disapproved

BILLS ASSIGNED TO COMMITTEE

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

S. F.	264	Judiciary
S. F.	265	Commerce
S. F.	266	County Government
S. F.	267	Natural Resources
H.F.	154	Judiciary
H.F.	155	Ways and Means
H.C.R.	12	Rules and Administration

STUDY BILLS RECEIVED

S.S.B. 257 Judiciary

Relating to the registration of foreign support orders under Iowa's uniform support of dependents law.

S.S.B. 258 Judiciary

Relating to the recording of assignments of periodic child support payments by welfare recipients to the department of social services.

S.S.B. 259 Natural Resources

Relating to the regulation and management of water resources by revising the penalties for violations of chapter 455A and the conditions under which the Iowa natural resources council may seek abatement of an unauthorized project in a flood plain or floodway.

S.S.B. 260 Agriculture

Permitting the sale of raw milk.

S.S.B. 261 Natural Resources

Making an annual appropriation for migratory waterfowl projects and subjecting violators to a penalty.

S.S.B. 262 Judiciary

Relating to the salary rate to be paid to judicial magistrates in counties which appoint an additional judicial magistrate and providing an effective date.

S.S.B. 263 Labor and Industrial Relations

To amend the public employment relations Act by providing residency requirements for mediators, factfinders, and arbitrators, specifying the payment of mediation costs, and making certain impasse procedures optional.

S.S.B. 264 Cities

Relating to the certified eligible list for promotion for city civil service.

**REPORTS OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointment to a **standing committee** for investigation on February 18, 1981;

State Health Facilities Council—Catherine G. Williams—Human Resources

The committee on Rules and Administration placed the following Governor's appointments on the **En Bloc Confirmation Calendar** on February 18, 1981, and recommended confirmation by the Senate:

Frank A. Metzger—Iowa Law Enforcement Academy Council

Mary L. Mills—Board of Examiners for Hearing Aid Dealers

CALVIN O. HULTMAN, Chairperson

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 17, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster and Gentleman.

Members Absent: Deluhery.

Other Committee Business: Overview of Deinstitutionalization Advisory Committee by Art Anderson; review of Marshall County Pilot Project, Dixie Clark; review of Pottawattamie County Pilot Project, Dan Sparks; report of State Juvenile Deinstitutionalization Advisory Committee, Gil Cerveny; report of Parole Policy in Iowa, Daryl Fisher.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 17, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Board of Regents budget request presentation by: Mary Louise Peterson, President of the Board; Wayne Richey, Executive Secretary and S.J. Brownlee and Ann Jorgensen, board members.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 17, 1981, 9:30 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Presentations from the Board of Medical Examiners and the Department of Health; subcommittee approved and submitted SSB 239 to full Appropriations committee.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 17, 1981, 9:15 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Iowa Department of Agriculture.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 17, 1981, 9:35 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Hulse and C. Miller.

Members Absent: Gratias (excused).

Other Committee Business: Jerry Perpich, Ruth Kuney and Stanton Bonta, Board of Accountancy, presented their budget to the committee; Tom Huston, Howard Hall and Randy Steig, Department of Banking, appeared before the committee and presented their budget; discussion followed.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 17, 1981, 9:30 a.m.

Members Present: Waldstein, Chairperson; Brown (arrived 9:53 a.m.), Craft and Vande Hoef.

Members Absent: Slater, Ranking Member (excused).

Other Committee Business: Sandy Scott, Director of Community Programs, DSS, made presentation on Community Programs/Division of Field Operations; Roger Herr, Financial Assistance, DSS, gave overview of AFDC; subcommittee approved House File 232 and submitted it to the full Appropriations committee.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 17, 1981, 9:35 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Drake and Holden.

Members Absent: Anderson (excused).

Other Committee Business: Budget presentations by the Office of Disaster Services and Iowa Law Enforcement Academy.

Adjourned: 12:00 noon.

COMMERCE

Convened: February 18, 1981, 1:30 p.m.

Members Present: Holden, Chairperson (arrived 1:45 p.m.); Baugher, Vice Chairperson; Comito, Craft, Husak, Jensen, Rush and DeKoster (arrived 1:45 p.m.).

Members Absent: Deluhery, Ranking Member (excused) and Priebe (excused).

Final Bill Action: Senate File 230, a bill for an act relating to the person to whom notice of garnishment is served in a school district.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Baugher, Comito, Craft, Husak, Jensen and Rush. Nays, none. Absent or not voting, 4: Holden, Deluhery, DeKoster and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; discussed SSBs 134, 196, 212, 218 and 226.

Adjourned: 2:15 p.m.

COUNTY GOVERNMENT

Convened: February 17, 1981, 3:00 p.m.

Members Present: Briles, Chairperson; Waldstein, Vice Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger.

Members Absent: none.

Final Bill Action: Senate File 271, a bill for an act requiring the brand be recorded on the bill of sale for cattle sold through sale barns, stockyards, and packing plants and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:45 p.m.

JUDICIARY

Convened: February 17, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor.

Members Absent: Deluhery (excused) and Murray (excused).

Final Bill Action: Senate File 268, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: DeKoster, Rush, Baugher, Carr, Coleman, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 3: Murray, Kudart and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 282, a bill for an act authorizing the performance of marriage ceremonies by court of appeals judges.

Recommendation: DO PASS.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 2: Murray and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved SSB 129, SSB 222 and SSB 205 as committee bills.

Adjourned: 4:00 p.m.

TRANSPORTATION

Convened: February 17, 1981, 1:40 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Comito, Doyle, Hutchins, A. Miller and Murray.

Members Absent: Nystrom.

Other Committee Business: Assigned bills to subcommittee; discussed SSB 253.

Adjourned: 2:20 p.m.

WAYS AND MEANS

Convened: February 17, 1981, 1:38 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Palmer.

Other Committee Business: Assigned bills to subcommittees; committee report on Senate File 157—deferred and referred back to subcommittee.

Adjourned: 2:00 p.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 116 passed the Senate on February 18, 1981.

BERL E. PRIEBE

PRESENTATION OF VISITOR

President Branstad welcomed the Honorable James Redmond,

former member of the Senate from Linn County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3078	S. F.	250	Ted Anderson Rolf V. Craft
S—3079	S. F.	225	Richard F. Drake
S—3080	S. F.	145	Emil J. Husak

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Thursday, February 19, 1981.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 19, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend Thomas Harlan, pastor of the Plainfield Baptist Church, Plainfield, Iowa.

The Journal of Wednesday, February 18, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Nelson Chesney, M.D., Winterset, Iowa.

SPECIAL GUEST

Senator Briles and Mary Jane Odell, Secretary of State and Chairperson of the Iowa Easter Seal Drive, appeared in the well of the Senate and presented Danny Lepley, age 11 from Atlantic, Iowa, the 1981 Iowa Easter Seal Child.

Danny, who was accompanied by his parents, Bill and Ginny Lepley and sister, Lori, told the Senate that he would be attending Camp Sunnyside this summer and planned to catch all the fish he could. In addition to fishing, he said he loved swimming, boat riding, baseball and his two cats and one dog.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 272, by Brown, a bill for an act relating to the counting of write-in ballots cast on a voting machine.

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

Senate File 273, by Brown, a bill for an act authorizing county sheriffs to enforce traffic laws on private roads providing access to a private lake or other development upon the request of the property owners.

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

Senate File 274, by Brown, a bill for an act relating to the display of registration plates on motor vehicles.

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

Senate File 275, by Committee on Judiciary, a bill for an act requiring the sentencing judge and the prosecuting attorney to provide the board of parole with certain information.

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

Senate File 276, by Committee on Judiciary, a bill for an act relating to the number of members to be appointed and elected to the state judicial nominating commission and providing a January 1 effective date.

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

Senate File 277, by Committee on Judiciary, a bill for an act to authorize the director of the division of adult corrections of the department of social services to implement an inmate employment program.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:16 a.m., until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m., Senator Holden presiding.

INTRODUCTION OF BILLS

Senate File 278, by Gratias, a bill for an act relating to the effective date of new rates for services provided to medical assistance recipients by licensed health care facilities.

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

Senate File 279, by Murray, a bill for an act relating to the procedures for discontinuing the operation of a city utility.

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

Senate File 280, by Taylor, Jensen, Vande Hoef, Palmer and Priebe, a bill for an act to require balanced treatment of creation-science and evolution-science in public schools.

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

Senate File 281, by Rodgers, a bill for an act authorizing cities to enter agreements to jointly invest public funds.

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

Senate File 282, by Rodgers, a bill for an act authorizing cities to levy a tax for the construction and repair of streets.

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

Senate File 283, by Committee on County Government, a bill for an act relating to mileage expense for witnesses and jurors.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

**SENATE JOINT
RESOLUTION 5**

Ways and Means
 Craft, Chairperson
 Rodgers
 Hester

SENATE FILE 60

County Government
 Priebe, Chairperson
 Wells
 C. Miller

SENATE FILE 131

State Government
 Palmer, Chairperson
 Gentleman
 C. Miller

SENATE FILE 142

Transportation
 Jensen, Chairperson
 Drake
 Coleman

SENATE FILE 157

Ways and Means
 Priebe, Chairperson
 Hester
 Husak

SENATE FILE 183

Commerce
 Jensen, Chairperson
 Comito
 Priebe

SENATE FILE 187

Ways and Means
 Hester, Chairperson
 Palmer
 Readinger

SENATE FILE 194

Commerce

**SENATE JOINT
RESOLUTION 7**

Ways and Means
 Hester, Chairperson
 Rodgers
 Lura

SENATE FILE 126

State Government
 Schwengels, Chairperson
 Lura
 C. Miller

SENATE FILE 140

State Government
 Schwengels, Chairperson
 Briles
 Tieden

SENATE FILE 144

State Government
 Schwengels, Chairperson
 Lura
 C. Miller

SENATE FILE 182

Agriculture
 A. Miller, Chairperson
 Dreeszen
 Hulse

SENATE FILE 185

Ways and Means
 Hester, Chairperson
 Palmer
 Readinger

SENATE FILE 193

Natural Resources
 Hutchins, Chairperson
 Gentleman
 Van Gilst

SENATE FILE 195

Education

Craft, Chairperson
Comito
Rush

SENATE FILE 196

Human Resources
Gratias, Chairperson
Drake
C. Miller

SENATE FILE 198

Agriculture
Taylor, Chairperson
Van Gilst
Vande Hoef

SENATE FILE 203

Ways and Means
Taylor, Chairperson
Priebe
Holden
Palmer
Readinger

SENATE FILE 205

Cities
Kinley, Chairperson
A. Miller
Waldstein

SENATE FILE 208

Agriculture
Vande Hoef, Chairperson
Hutchins
Van Gilst

SENATE FILE 212

Ways and Means
Holden, Chairperson
Husak
Ramsey

SENATE FILE 214

State Government
Schwengels, Chairperson
Briles
C. Miller

SENATE FILE 216

Agriculture

Brown, Chairperson
Carney
DeKoster

SENATE FILE 197

State Government
Palmer, Chairperson
Tieden
Gentleman

SENATE FILE 202

Education
Jensen, Chairperson
Anderson
Wells

SENATE FILE 204

Agriculture
Taylor, Chairperson
Van Gilst
Vande Hoef

SENATE FILE 206

Commerce
DeKoster, Chairperson
Comito
Rush

SENATE FILE 210

Education
Small, Chairperson
Taylor
Dreeszen

SENATE FILE 213

State Government
Drake, Chairperson
Tieden
C. Miller

SENATE FILE 215

State Government
Schwengels, Chairperson
Lura
C. Miller

SENATE FILE 217

Ways and Means

Waldstein, Chairperson
Vande Hoef
Husak

SENATE FILE 218

Education
Jensen, Chairperson
Wells
DeKoster

SENATE FILE 220

Human Resources
Yenger, Chairperson
Coleman
A. Miller

SENATE FILE 222

Education
Small, Chairperson
Wells
Taylor

SENATE FILE 224

Agriculture
Vande Hoef, Chairperson
Hutchins
Van Gilst

SENATE FILE 227

Agriculture
Hester, Chairperson
Dreeszen
Van Gilst

SENATE FILE 230

Commerce
Rush, Chairperson
Baughner
Comito

SENATE FILE 232

State Government
Nystrom, Chairperson
Schwengels
Slater

SENATE FILE 234

Judiciary
Carr, Chairperson
Deluhery
Kudart

Lura, Chairperson
Van Gilst
Ramsey

SENATE FILE 219

Transportation
Jensen, Chairperson
Drake
Coleman

SENATE FILE 221

Commerce
DeKoster, Chairperson
Baughner
Priebe

SENATE FILE 223

State Government
Schwengels, Chairperson
Briles
C. Miller

SENATE FILE 226

Energy
Bisenius, Chairperson
Yenger
Rodgers

SENATE FILE 229

Ways and Means
Craft, Chairperson
Palmer
Lura

SENATE FILE 231

Commerce
DeKoster, Chairperson
Comito
Rush

SENATE FILE 233

State Government
Schwengels, Chairperson
Briles
C. Miller

SENATE FILE 235

Judiciary
Taylor, Chairperson
Coleman
Small

SENATE FILE 238

Ways and Means
Hester, Chairperson
Holden
Van Gilst

SENATE FILE 240

Judiciary
Kudart, Chairperson
Rush
Taylor

SENATE FILE 242

Commerce
Holden, Chairperson
DeKoster
Husak

SENATE FILE 244

Commerce
DeKoster, Chairperson
Comito
Rush

SENATE FILE 246

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 248

Ways and Means
Craft, Chairperson
Hultman
Holden
Junkins
Rush

SENATE FILE 253

Commerce
Holden, Chairperson
DeKoster
Husak

SENATE FILE 256

Commerce
DeKoster, Chairperson
Comito
Rush

SENATE FILE 239

Judiciary
Doyle, Chairperson
Ramsey
Dreeszen

SENATE FILE 241

Commerce
DeKoster, Chairperson
Comito
Rush

SENATE FILE 243

Judiciary
Baugher, Chairperson
Lura
Carr

SENATE FILE 245

Judiciary
Kudart, Chairperson
Doyle
Small

SENATE FILE 247

County Government
C. Miller, Chairperson
Wells
Briles

SENATE FILE 250

Ways and Means
Lura, Chairperson
Palmer
Readinger
Van Gilst
Taylor

SENATE FILE 254

Commerce
DeKoster, Chairperson
Craft
Rush

SENATE FILE 266

County Government
Briles, Chairperson
Hester
C. Miller

**SENATE CONCURRENT
RESOLUTION 6**

Rules and Administration
Junkins, Chairperson
Holden
Hultman

**SENATE CONCURRENT
RESOLUTION 8**

Commerce
Craft, Chairperson
Comito
Priebe

HOUSE FILE 157

Education
Carney, Chairperson
Dreeszen
Anderson

HOUSE FILE 232

Appropriations
Appropriations Subcommittee
on Social Services

HOUSE FILE 282

Judiciary
Coleman, Chairperson
Baugher
Taylor

SSB 216

County Government
Goodwin, Chairperson
Hester
Priebe

SSB 226

Commerce
Holden, Chairperson
Jensen
Deluhery

SSB 244

County Government
Waldstein, Chairperson
Brown
Vande Hoef

**SENATE CONCURRENT
RESOLUTION 7**

Rules and Administration
Junkins, Chairperson
Holden
Hultman

HOUSE FILE 73

Agriculture
Vande Hoef, Chairperson
Hutchins
Van Gilst

HOUSE FILE 211

Judiciary
Baugher, Chairperson
Taylor
Small

HOUSE FILE 235

State Government
Briles, Chairperson
Schwengels
Palmer

SSB 210

County Government
Wells, Chairperson
Priebe
Goodwin

SSB 225

Education
DeKoster, Chairperson
Carney
Small

SSB 230

Ways and Means
Hester, Chairperson
Van Gilst
Readinger

SSB 245

Energy
Readinger, Chairperson
Briles
Gallagher

SSB 246

Judiciary
Doyle, Chairperson
Murray
Kudart

SSB 248

Agriculture
Hutchins, Chairperson
Waldstein
Husak

SSB 250

Human Resources
Vande Hoef, Chairperson
Nystrom
Gentleman

SSB 252

Ways and Means
Lura, Chairperson
Hester
Van Gilst

SSB 254

State Government
Palmer, Chairperson
Schwengels
Lura

SSB 256

State Government
Drake, Chairperson
Nystrom
Schwengels
Slater
Carr

SSB 247

Agriculture
Hester, Chairperson
Dreeszen
Van Gilst

SSB 249

Commerce
Holden, Chairperson
Jensen
Deluhery

SSB 251

Human Resources
Vande Hoef, Chairperson
Nystrom
Gentleman

SSB 253

Transportation
Jensen, Chairperson
Drake
Coleman

SSB 255

State Government
Drake, Chairperson
Schwengels
Carr
Slater
Nystrom

SSB 264

Cities
A. Miller, Chairperson
Wells
Comito

BILLS ASSIGNED TO COMMITTEE

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

S. F.	269	State Government
S. F.	270	State Government
S. C.R.	9	Energy
H.C.R.	9	County Government

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 18, 1981, when the vote on amendment S—3076 to Senate File 116 and the final vote on Senate File 116 was taken.

Had I been present, I would have voted “nay” on amendment S—3076 and “aye” on final passage of Senate File 116.

DAVID M. READINGER

STUDY BILLS RECEIVED

S.S.B. 265 Natural Resources

Establishing a hunter safety education program and subjecting violators to penalties, to be effective January 1, 1982.

S.S.B. 266 Natural Resources

To provide for the establishment of a state nursery to be located in southern Iowa.

S.S.B. 267 Commerce

Relating to the establishment of personal automobile insurance rates for individuals for whom driving is a condition of employment.

S.S.B. 268 Ways and Means

Relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property and exempting trades of vehicles subject to registration for other vehicles of equal or lesser value.

S.S.B. 269 Human Resources

To permit hearing-impaired persons to use hearing-dogs and providing a penalty for denial of that right.

S.S.B. 270 Human Resources

Relating to the disposal of resources for less than fair market value by individuals eligible for medical assistance.

S.S.B. 271 Human Resources

To abolish the requirement for a premarital syphilis examination.

S.S.B. 272 Human Resources

Allowing the denial, suspension, or revocation of a health care facility's license for interference in the enforcement of chapter 135C.

S.S.B. 273 Human Resources

Relating to the issuance by the commissioner of health of citations to health care facilities.

S.S.B. 274 Natural Resources

Providing a state individual income tax refund checkoff for the state fish and game protection fund and providing a January 1 effective date.

**SUBCOMMITTEE ASSIGNMENT FOR
GOVERNOR'S APPOINTMENT**

In accordance with Senate Rule 58, the following Senators were appointed to a subcommittee of a standing committee:

HUMAN RESOURCES: As a member of the State Health Facilities Council:

CATHERINE G. WILLIAMS
Gratias, Chairperson
C. Miller
Drake

PRESENTATION OF VISITORS

Senator Brown presented the following visitors who were present in the Senate chamber as his guests:

Monica D. Dorin, Brazil; Maria Gereda, Peru; Kelly Roriz, Brazil and Janine Faux, Australia, foreign exchange students through the Lions International, YFU and Open Door programs.

FURTHER
REPORT OF COMMITTEE MEETING

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 513 of the Senate Journal.

Final Bill Action: Senate File 283, a bill for an act relating to mileage expense for witnesses and jurors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on page 514 of the Senate Journal.

Final Bill Action: Senate File 275, a bill for an act requiring sentencing judge and prosecuting attorney to provide parole board with certain information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 2: Deluhery and Murray.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 276, a bill for an act relating to the number of members to be appointed and elected to the state judicial nominating commission and providing a January 1 effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 2: Deluhery and Murray.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 277, a bill for an act to authorize the director of the division of adult corrections of the department of social services to implement an inmate employment program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Carr, Baugher, Coleman, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 2: Deluhery and Murray.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 18, 1981, 10:45 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster and Gentleman.

Members Absent: Deluhery.

Other Committee Business: Daryl Fischer presented overview of risk assessment uses and prison population system flow model.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 18, 1981, 10:50 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, Kudart and A. Miller.

Members Absent: none.

Other Committee Business: Presentation by Norman Pawlewski, Commissioner, Department of Health.

Adjourned: 11:50 a.m.

CITIES

Convened: February 18, 1981, 3:05 p.m.

Members Present: Readinger, Chairperson; Carney, Holden, Kinley and Wells.

Members Absent: Comito, Vice Chairperson; A. Miller Ranking Member (excused); Slater (excused) and Waldstein (excused).

Other Committee Business: Assigned Senate File 205 and SSB 264 to subcommittees.

Adjourned: 3:10 p.m.

ENERGY

Convened: February 18, 1981, 1:39 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Anderson, Briles, Doyle, Kudart, Readinger (arrived 1:43 p.m.) and Yenger.

Members Absent: Gallagher, Ranking Member and Rodgers (excused).

Other Committee Business: SSB 209 approved for redraft as a committee bill; announced subcommittee assignment for Senate File 226; presentation on hazardous waste siting by Gerard Bulanowski, Senior Research Analyst, National Conference of State Legislatures.

Adjourned: 2:30 p.m.

JUDICIARY

Convened: February 18, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor.

Members Absent: Deluhery (excused).

Final Bill Action: Senate File 121, a bill for an act allowing a parent to file a petition to change the name of a minor child of the parent.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3081.

Final Vote: Ayes, 11: Kudart, Rush, Baugher, Carr, Coleman, Doyle, Dreeszen, Lura, Murray, Small and Taylor. Nays, none. Absent or not voting, 3: DeKoster, Deluhery and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 122 as a committee bill; assigned bills to subcommittees.

Adjourned: 3:45 p.m.

NATURAL RESOURCES

Convened: February 18, 1981, 8:00 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden and Hutchins.

Members Absent: Gallagher and Rodgers.

Other Committee Business: Announced subcommittee assignment; approved SSB 69 and SSB 107 as committee bills; named a Drainage Laws committee.

Adjourned: 8:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 18, 1981, 10:45 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Department of Soil Conservation.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 18, 1981, 11:00 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Hulse and C. Miller.

Members Absent: Gratias.

Other Committee Business: Dick Hansen, Lois Kalleen, Jim Lynch and Margaret Apostle, Board of Architectural Examiners, presented their budget; Dee DeKock, Ron Reichert and Howard Wilshire, State Board of Watchmaking Examiners, presented their budget.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 18, 1981, 10:50 a.m.

Members Present: Waldstein, Chairperson; Brown, Craft and Vande Hoef.

Members Absent: Slater, Ranking Member.

Other Committee Business: Sandy Scott, Director of Community Programs, DSS, gave presentations on Aid to Indians and Work Incentive Program; Jack Baughman, Chief of Bureau of Collections, DSS, gave an overview on Child Support Recovery Unit.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 18, 1981, 10:50 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor and Wells.

Members Absent: Lura (excused).

Other Committee Business: Budget presentations by the Regional Library System and the State Library Commission.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 18, 1981, 10:45 a.m.

Members Present: Bisenius, Chairperson; Anderson, Holden and Drake.

Members Absent: Coleman, Ranking Member.

Other Committee Business: Amended SSB 241.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 18, 1981, 10:50 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member (arrived 11:00 a.m.); Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Budget presentation by the Department of Transportation.

Adjourned: 11:45 a.m.

AMENDMENTS FILED

S—3081	S. F.	121	Judiciary Committee
S—3082	S. F.	24	Edgar H. Holden
S—3083	S. F.	225	Richard F. Drake

ADJOURNMENT

On motion of Senator Nystrom, the Senate adjourned at 3:05 p.m., until 10:00 a.m., Monday, February 23, 1981.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 23, 1981

The Senate met in regular session at 10:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Fred Lewis, pastor of the First United Methodist Church, Ankeny, Iowa.

The Journal of Thursday, February 19, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Vande Hoef and Craft for the day and Senators Jensen and Yenger for the morning session on request of Senator Hultman.

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 February 18, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 398, a bill for an act relating to the funding of the operations of the utilities division of the Iowa state commerce commission, and providing for semiannual remainder assessments against public utilities, and for a supplemental appropriation.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 398, a bill for an act relating to the funding of the operations of the utilities division of the Iowa state commerce commission, and providing for semiannual remainder assessments against public utilities, and for a supplemental appropriation of two hundred thousand dollars to the commerce commission for the fiscal year commencing July 1, 1980, and ending June 30, 1981, for operational purposes, to be effective upon publication.

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

INTRODUCTION OF BILLS

Senate File 284, by Committee on Commerce, a bill for an act striking the provision which prohibits a telephone company from imposing a charge for directory assistance.

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

Senate File 285, by Anderson, a bill for an act providing that public utilities shall not recover more than twenty-five percent of advertising costs from customers of the public utility, to take effect as provided in administrative rules adopted on or after the effective date of the Act established by publication.

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

Senate File 286, by Hultman, a bill for an act exempting certain agricultural and other employers from the worker's compensation law, effective January 1.

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

Senate File 287, by Lura, a bill for an act providing that the state conservation commission and county conservation boards shall adopt rules to allow handicapped persons to use private access roads usually restricted to employee use for maintenance.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 18, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Aileen Brown, Des Moines, Polk County, Iowa, for reappointment as a member of the Credit Union Review Board pursuant to Section 533.53, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of James J. McCue, Cedar Rapids, Linn County, Iowa, for reappointment as a member of the Credit Union Review Board pursuant to Section 533.53, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Monroe Colston, Des Moines, Polk County, Iowa, for reappointment as a member of the Iowa Real Estate Commission pursuant to Section 117.8, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Raymond P. Henely, Des Moines, Polk County, Iowa, for reappointment as a member of the Job Service Advisory Council pursuant to Section 96.11(5), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Nancy Welter, Cedar Rapids, Linn County, Iowa, for reappointment as a member of the State Board of Cosmetology Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Connie Price, Des Moines, Polk County, Iowa, for reappointment as a member of the State Board of Dental Examiners pursuant to Section 147.14(4), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Richard Rabe, Des Moines, Polk County, Iowa, for reappointment as a member of the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Reid E. Motley, M.D., Cedar Rapids, Linn County, Iowa, for reappointment as a member of the State Board of Medical Examiners pursuant to Section 147.14(2), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Jacqueline F. Bryant, Cedar Rapids, Linn County, Iowa, for reappointment as a

member of the State Board of Speech Pathology and Audiology Examiners pursuant to Section 147.14(9), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration**.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 29.

Senate File 29

On motion of Senator DeKoster, Senate File 29, a bill for an act relating to the costs of providing a record of teacher contract termination proceedings, with report of committee recommending amendment and passage, was taken up for consideration.

Senator DeKoster offered amendment S—3036 filed by the committee on Education on February 2, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3036 was adopted by a voice vote.

Senator Palmer asked and received unanimous consent that action on **Senate File 29** be **deferred**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 24.

Senate File 24

On motion of Senator Holden, Senate File 24, a bill for an act relating to the requirement that plans and specifications for new

health care facilities and remodeling of or additions to existing health care facilities be submitted to the department of health for preliminary inspection and approval or recommendations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gentleman offered amendment S—3055 filed by the committee on Human Resources on February 5, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3055 was adopted by a voice vote.

Senator Holden offered amendment S—3082 filed by him on February 19, 1981, to the title page of the bill and moved its adoption.

Amendment S—3082 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 24) the vote was:

Ayes, 28:

Baughner	Bisenius	Briles	Carney
Coleman	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Hutchins	Junkins
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Priebe	Ramsey	Schwengels
Taylor	Tieden	Waldstein	Wells

Nays, 16:

Anderson	Brown	Carr	Comito
DeKoster	Deluhery	Doyle	Gallagher
Kinley	Kudart	Palmer	Readinger
Rush	Slater	Small	Van Gilst

Absent or not voting, 6:

Craft	Husak	Jensen	Rodgers
Vande Hoef	Yenger		

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

Senator Hultman asked and received unanimous consent to take up out of order Senate File 262.

Senate File 262

On motion of Senator Schwengels, Senate File 262, a bill for an act to revise the regulation of land disturbing activities, was taken up for consideration.

Senator Schwengels moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 262) the vote was:

Ayes, 46:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Hutchins	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Craft	Husak	Jensen	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Husak for the day on request of Senator Junkins.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 263

On motion of Senator Hester, Senate File 263, a bill for an act authorizing the department of revenue to credit income and franchise tax refunds against the tax liability of the taxpayer, was taken up for consideration.

Senator Hester asked and received unanimous consent that action on **Senate File 263** be deferred.

MOTION TO RECONSIDER ADOPTED

Senate File 116

Senator Priebe called up the motion to reconsider Senate File 116 filed by him on February 18, 1981, found on page 515 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 116) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Hutchins	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Slater
Small	Taylor	Van Gilst	Waldstein
Wells	Yenger		

Nays, 1:

Tieden

Absent or not voting, 7:

Briles	Comito	Craft	Husak
Jensen	Rodgers	Vande Hoef	

The motion prevailed.

Senator Priebe moved to reconsider the vote by which Senate File 116 went to its last reading, which motion prevailed by a voice vote.

Senate File 116

On motion of Senator Priebe, Senate File 116, a bill for an act relating to the state fair board convention, was taken up for reconsideration.

Senator Priebe offered amendment S—3084 filed by Senators Priebe and Hester from the floor to page 1 of the bill and moved its adoption.

Amendment S—3084 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 116) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Hutchins	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Briles	Craft	Husak	Jensen
Vande Hoef			

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

RECESS

On motion of Senator Hultman, the Senate recessed at 11:55 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:04 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 8, by Craft, Dreeszen, Priebe, Goodwin and Lura, a joint resolution proposing an amendment to the Constitution of the state of Iowa relating to the protection of taxpayers' rights by limiting taxes, revenue, and related activities of the state and local governments.

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

Senate File 288, by Taylor, a bill for an act relating to vandalism by minors.

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

Senate File 289, by Committee on Natural Resources, a bill for an act relating to trespass on private property and imposing a penalty.

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

Senate File 290, by Schwengels, a bill for an act to provide for the state department of transportation to transfer delinquent property taxes collected from a railroad corporation to the county.

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

Senate File 291, by Murray, a bill for an act granting the Iowa state arts council the additional powers and duties to administer, preserve, and inventory certain state-owned works of art.

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

Senate File 292, by Committee on County Government, a bill for an act relating to the deposit of public funds by officers of political subdivisions of the state.

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

Senate File 293, by Committee on County Government, a bill for an act relating to the reporting of fruit-tree and forest reservations to the state conservation commission.

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

Senate File 294, by Committee on Natural Resources, a bill for an act relating to taxidermy and subjecting violators to a penalty.

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

Senate File 295, by Committee on State Government, a bill for an act relating to the licensing of real estate salespersons, associate brokers and brokers.

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

Senate File 296, by Kudart, a bill for an act relating to permissible loans and real property purchases by a life insurance company.

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

Senate File 297, by Rodgers, a bill for an act relating to the private sale, control, distribution, and taxation of wine containing more than five percent but not more than seventeen percent alcohol by weight, providing an excise tax on wine, declaring certain acts relating to wine to be unlawful and prescribing penalties.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

APPENDIX

COMMUNICATION

The following communication was received in the office of the Secretary of the Senate:

A letter from Dorothy Greenwalt conveying to the Iowa Senate appreciation for the memorial received to the American Heart Fund on behalf of Rod Greenwalt, her late husband and stepfather of C.J. Kelly, Senate staff member.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	272	State Government
S. F.	273	County Government
S. F.	274	Transportation
S. F.	278	Human Resources
S. F.	279	Cities
S. F.	280	Education
S. F.	281	Cities
S. F.	282	Cities

STUDY BILLS RECEIVED

S.S.B. 275 Natural Resources

To provide a property tax exemption for stands of trees and shrubs on agricultural land and making an appropriation.

S.S.B. 276 Natural Resources

Relating to procedures to be followed by drainage districts.

S.S.B. 277 State Government

Relating to the Iowa housing finance authority and its records, loans, lending practices, and quorum requirements.

S.S.B. 278 Commerce

To amend Chapter 534, savings and loan associations; sections 534.5, 534.11, 534.19, 534.20, 534.21.

S.S.B. 279 Commerce

To authorize the Commissioner of Insurance to issue rules under Chapter 509 establishing minimum standards for group medicare supplement contracts and establishing minimum standards for benefits under such contracts, which rules shall be consistent with rules established under Chapter 514D, Code 1981.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 17, 18 and 19, 1981, because of illness. Had I been present, I would have voted "aye" on the following:

Amendment S—3076 to Senate File 116, and final passage of Senate Files 116, 152, 228, 237, 251 and 252.

PATRICK J. DELUHERY

**FURTHER
REPORT OF COMMITTEE MEETING****COMMERCE***

*A previous report of this meeting was recorded on page 513 of the Senate Journal.

Final Bill Action: Senate File 284, a bill for an act striking the provision which prohibits a telephone company from imposing a charge for directory assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Holden, Baugher, Comito, Craft, DeKoster, Husak and Jensen. Nays, none. Voting Present, 1: Rush. Absent or not voting, 2: Deluhery and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

**FURTHER
REPORT OF COMMITTEE MEETING****COUNTY GOVERNMENT***

*A previous report of this meeting was recorded on page 513 of the Senate Journal.

Final Bill Action: Senate File 292, a bill for an act relating to the deposit of public funds by officers or political subdivisions of the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 293, a bill for an act relating to the reporting of fruit-tree and forest reservations to the state conservation commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

NATURAL RESOURCES*

*A previous report of this meeting was recorded on page 531 of the Senate Journal.

Final Bill Action: Senate File 289, a bill for an act relating to trespass on private property and imposing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Schwengels, Goodwin, Van Gilst, Kudart, Tieden and Hutchins. Nays, 1: Gentleman. Absent or not voting, 2: Gallagher and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 294, a bill for an act relating to taxidermy and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden and Hutchins. Nays, none. Absent or not voting, 2: Gallagher and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 19, 1981, 9:45 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; Gentleman and DeKoster.

Members Absent: Deluhery.

Other Committee Business: Presentations by: Phil Riley, 1977 Advisor, Committee on Corrections Relief; Mr. Francis Messerly, Board of Supervisors, Black Hawk County, "Effect of Cuts on Larger Counties-Community Based Corrections"; Ron O'Neal, Council Bluffs Judicial District, "Budgets, Community Based Corrections"; Bud Kilman, Waterloo Judicial District, "Importance of CBC in State Correction System"; Jim Hancock, "Pre Trial Release"; and Walter Saur, Parole Board, "Philosophy of Board of Parole".

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 19, 1981, 9:45 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: General discussion and requests for information from subcommittee members on Commission for the Blind, College Aid Commission and IPBN.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 19, 1981, 9:45 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Committee discussion of future budget presentations.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 19, 1981, 9:45 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Hearing with the Iowa Conservation Commission.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 19, 1981, 9:40 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Rolland Gallagher, George Price and Dean Baedke, Beer and Liquor Control Department; Gerald Bair, Mara Swanson and Dick Markham, Revenue Department, appeared before the subcommittee and presented their budgets; discussion followed.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 19, 1981, 9:43 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown (arrived 9:57 a.m.) and Vande Hoef (arrived 9:47 a.m.).

Members Absent: Craft (excused).

Other Committee Business: Sandy Scott, Director of Community Programs, DSS, gave presentations on Remedial Eye and State Supplemental Assistance programs.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 19, 1981, 9:35 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Budget presentation by Department of General Services.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 19, 1981, 9:40 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: General discussion of budget problems of departments under the subcommittee purview.

Adjourned: 10:45 a.m.

HUMAN RESOURCES

Convened: February 19, 1981, 1:35 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson (arrived 1:56 p.m.); C. Miller, Ranking Member; Carr, Coleman, Gratias, Hulse, A. Miller, Slater and Vande Hoef.

Members Absent: Drake and Nystrom.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 193.

Adjourned: 2:25 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 19, 1981, 8:07 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson (arrived 8:10 a.m.); Anderson, Ranking Member; Brown, Goodwin, Gratias, Hultman, Kinley and Wells.

Members Absent: none.

Other Committee Business: Assigned bill and study bill to subcommittees; discussed and approved SSB 217 as a committee bill; Robert Landess, Industrial Commissioner, spoke to the committee.

Adjourned: 8:48 a.m.

STATE GOVERNMENT

Convened: February 19, 1981, 3:07 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member (arrived 3:10 p.m.); Briles, Carr, Craft, Drake, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: Gallagher (excused).

Final Bill Action: Senate File 180, a bill for an act to void an administrative rule of the Iowa state board of engineering examiners which requires a plat be drawn for every property survey.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Nystrom, Lura, Briles, Carr, Craft, Drake, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none. Voting present, 2: Slater and Gentleman. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 295, a bill for an act relating to the licensing of real estate salespersons, associate brokers and brokers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Nystrom, Slater, Briles, Carr, Craft, Drake, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, 1: Lura. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Heard testimony from Bob Lounsberry and Dr. Lang on SSB 255; amended SSB 225—deferred further action until next meeting; SSB 256 approved for final drafting as a committee bill.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: February 23, 1981, 1:40 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Drake, Gallagher (arrived 1:45 p.m.), Gentleman, Hutchins, C. Miller, Schwengels and Tieden.

Members Absent: Craft (excused) and Palmer.

Final Bill Action: Senate File 197, a bill for an act relating to liquor and beer control on Sunday, amending a prerequisite for Sunday sales of beer and liquor, and extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Schwengels and Tieden. Nays, 1: Nystrom. Absent or not voting, 2: Palmer and Craft.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned SSB 277 to subcommittee; chair advised the committee would be working on a new bill being drafted (97A-97B and Chapter 411 as one bill) at next Thursday or Monday's meeting.

Adjourned: 2:00 p.m.

PETITION

The following petition was presented and placed on file by:

Senator Holden from one hundred fifty-one residents of Scott County opposing legislation decreasing funding for the Bettendorf educational system.

AMENDMENTS FILED

S-3084	S. F.	116	Berl E. Priebe Jack W. Hester
S-3085	S. F.	259	Richard F. Drake
S-3086	S. F.	258	Richard F. Drake John W. Jensen
S-3087	S. F.	271	Dick Ramsey
S-3088	S. F.	268	Gary L. Baugher
S-3089	S. F.	263	Arthur L. Gratias

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:48 p.m., until 9:00 a.m., Tuesday, February 24, 1981.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 24, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend James E. Robertson, pastor of the Highland Park Christian Church, Des Moines, Iowa.

The Journal of Monday, February 23, 1981, was approved.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 58, a bill for an act amending a provision of the Iowa consumer credit code to allow short-term loans to be repayable in full at the end of the loan term.

ALSO: That the House has on February 19, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 293, a bill for an act creating a revolving farm fund for the department of social services, effective upon publication.

ALSO: That the House has on February 19, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 396, a bill for an act relating to an income tax checkoff for the state fish and game protection fund.

ALSO: That the House has on February 19, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 413, a bill for an act relating to the fee collected for copies of records by the department of health.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 293, a bill for an act creating a revolving farm fund for the department of social services, effective upon publication.

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

House File 396, a bill for an act relating to an income tax checkoff for the state fish and game protection fund.

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

House File 413, a bill for an act relating to the fee collected for copies of records by the department of health.

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

HOUSE AMENDMENT TO SENATE FILE 58

S—3090

- 1 Amend Senate File 58 as follows:
- 2 1. Page 1, by striking lines 13 through 21, and
- 3 inserting in lieu thereof the following: "is three
- 4 hundred dollars or less. *However, a lender may make*
- 5 *a loan not pursuant to open end credit that is*
- 6 *repayable in a single payment if the amount financed*
- 7 *does not exceed one thousand dollars and if the finance*
- 8 *charge does not exceed the rate permitted by section*
- 9 *537.2401, subsection 1, to be charged by a supervised*
- 10 *financial organization."*

INTRODUCTION OF BILL

Senate File 298, by Miller of Des Moines, a bill for an act requiring persons between the ages of sixteen and eighteen who drop out of school to complete an approved driver education course in order to obtain a motor vehicle license.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:15 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by Craft, Hester, and Lura, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to state appropriations.

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

Senate File 299, by Committee on Commerce, a bill for an act relating to the duties of the statutory committee with respect to establishing the interest rates on public deposits and obligations.

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

Senate File 300, by Committee on Commerce, a bill for an act relating to the powers of banks with respect to the compensation of directors, permissible accounts and related charges, places of doing business, permissible investments, loan charges, contracts for data processing services, and cash reserve requirements.

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

Senate File 301, by Holden, a bill for an act relating to the applicability of teachers' contracts laws to teachers and nurses covered under a collective bargaining agreement.

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

Senate File 302, by Comito, a bill for an act establishing a state co-pay prescription drug program for elderly and disabled individuals.

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

Senate File 303, by Hester, a bill for an act relating to obscenity, and providing criminal penalties to be effective January 1 following enactment.

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

Senate File 304, by Hester and Craft, a bill for an act restricting state appropriations.

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

Senate File 305, by Committee on Appropriations, a bill for an act relating to the reduction, reversion, and allocation of funds previously appropriated by the general assembly and providing a publication clause.

Read first time and placed on **Appropriations Calendar.**

Senate File 306, by Committee on Judiciary, a bill for an act relating to review by the board of parole of certain offenders.

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

Senate File 307, by Committee on Judiciary, a bill for an act to permit a separate writing to identify bequests of certain tangible personal property in wills.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 260.

Senate File 260

On motion of Senator Doyle, Senate File 260, a bill for an act to provide for the payment of reinstatement fees for motor vehicle licenses revoked or suspended under the nonresident violators compact, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 260) the vote was:

Ayes, 46:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Deluhery	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 1:

Gallagher

Absent or not voting, 3:

DeKoster Holden Ramsey

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

House Concurrent Resolution 6

On motion of Senator Lura, House Concurrent Resolution 6, a resolution supporting the claims of ownership of Iowa lands brought by the Monona County Land Association in litigation, filed February 5, 1981, and found on pages 337-338 of the Senate Journal, was taken up for consideration.

Senator Hutchins asked unanimous consent that House Concurrent Resolution 6 be referred to the committee on Judiciary.

Senator Hutchins withdrew his request.

Senator Hultman asked and received unanimous consent that **House Concurrent Resolution 6** be referred to the committee on **Judiciary**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 230

On motion of Senator Holden, Senate File 230, a bill for an act relating to the person to whom notice of garnishment is served in a school district, with report of committee recommending passage, was taken up for consideration.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 230) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

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

Senator Hultman asked and received unanimous consent to take up out of order House File 282.

House File 282

On motion of Senator Coleman, House File 282, a bill for an act authorizing the performance of marriage ceremonies by court of appeals judges, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 282) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Yenger

Nays, 2:

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

Senate File 121

On motion of Senator Taylor, Senate File 121, a bill for an act allowing a parent to file a petition to change the name of a minor child of the parent, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S-3081 filed by the committee on Judiciary on February 19, 1981, to page 1 of the bill and moved its adoption.

Amendment S-3081 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 121) the vote was:

Ayes, 49:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 1:

Baughner

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

UNFINISHED BUSINESS (Deferred February 18, 1981)

Senate File 225

The Senate resumed consideration of Senate File 225, a bill for an act relating to retainage withheld from payment to contractors under contracts for public improvements and amendment S—3073 by Senator Drake, deferred on February 18, 1981.

Senator Drake withdrew amendment S—3073 to pages 1 and 2 of the bill, deferred on February 18, 1981.

Senator Drake withdrew amendment S—3083 filed by him on February 19, 1981, to pages 1 and 2 of the bill.

Senator Drake offered amendment S—3093 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3093 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 225) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Taylor	Tieden
Vande Hoef	Wells	Yenger	

Nays, 2:

Van Gilst Waldstein

Absent or not voting, 1:

Small

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

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 116, the following technical correction was made:

1. Amendment S-3075 to Senate File 116, line 4, the comma should be underlined.

LINDA HOWARTH MACKAY
Secretary of the Senate

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 24 passed the Senate on February 23, 1981.

JOHN S. MURRAY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 260 passed the Senate on February 24, 1981.

CHARLES P. MILLER

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	8	Ways and Means
S. F.	285	Commerce
S. F.	286	Agriculture
S. F.	287	Natural Resources
S. F.	288	Judiciary
S. F.	290	Transportation
S. F.	291	State Government
S. F.	296	Commerce
S. F.	297	State Government
H. F.	398	Appropriations

STUDY BILLS RECEIVED

S.S.B. 280 Energy

Relating to the siting of hazardous waste treatment, storage and disposal facilities and providing penalties.

S.S.B. 281 Energy

Providing an income tax credit for expenditures incurred in acquiring passive or active solar energy systems and making the Act retroactive to January 1.

S.S.B. 282 Natural Resources

Relating to the regulation and management of water resources by revising the penalties for violations of chapter 455A and the conditions under which the Iowa natural resources council may seek abatement of an unauthorized project in a flood plain or floodway.

S.S.B. 283 Natural Resources

To revise the water permit program administered by the Iowa natural resources council by increasing the amount of water which can be diverted or withdrawn without a permit, increasing the application fee, establishing a permit fee, and revising the conditions under which irrigation permits may be granted.

S.S.B. 284 Commerce

Relating to the management of losses and loss exposures of state government, and establishing a state self-insurance fund for certain losses, charging the state risk manager with the duty to administer laws that provide for the payment of certain claims against state government, authorizing the use of blanket bonds and self-insurance in lieu of fidelity bonds for state officers and employees, and providing delayed effective dates.

S.S.B. 285 Judiciary

Relating to the office of appellate defender.

S.S.B. 286 Judiciary

Relating to certified shorthand reporters.

S.S.B. 287 Appropriations

Relating to the application for, receipt and use of federal aid by state agencies.

S.S.B. 288 County Government

Relating to the submission of bond issues previously defeated by the electorate.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES**

Convened: February 23, 1981, 9:45 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: General discussion and comments about departments and commissions being reviewed by the subcommittee.

Adjourned: 11:15 a.m.

APPROPRIATIONS

Convened: February 24, 1981, 12:20 p.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins (arrived 1:05 p.m.), Ramsey, Rush, Schwengels, Slater, Small, Van Gilst (arrived 12:50 p.m.), Waldstein and Yenger.

Members Absent: Palmer, Ranking Member.

Final Bill Action: Senate File 305, a bill for an act relating to the reduction, reversion, and allocation of funds previously appropriated by the general assembly and providing a publication clause.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Murray, Tieden, Baugher, Bisenius, Carney, Hultman, Jensen, Ramsey, Schwengels, Waldstein and Yenger. Nays, 7: Anderson, Deluhery, Junkins, Rush, Small, Van Gilst and Slater. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:30 p.m.

COMMERCE

Convened: February 23, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, DeKoster, Jensen, Priebe and Rush.

Members Absent: Craft and Husak (excused).

Final Bill Action: Senate File 299, a bill for an act relating to the duties of the statutory committee with respect to establishing the interest rates on public deposits and obligations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Holden, Baugher, Comito, DeKoster, Jensen and Priebe. Nays, 2: Deluhery and Rush. Absent or not voting, 2: Craft and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 300, a bill for an act relating to the powers of banks with respect to the compensation of directors, permissible accounts and related charges, places of doing business, permissible investments, loan charges, contracts for data processing services, and cash reserve requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Holden, Baugher, Comito, DeKoster, Jensen and Rush. Nays, 2: Deluhery and Priebe. Absent or not voting, 2: Craft and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 196.

Adjourned: 3:45 p.m.

EDUCATION

Convened: February 23, 1981, 1:40 p.m.

Members Present: *Gratias*, Chairperson (arrived 1:45 p.m.); Carney, Vice Chairperson; Brown, Ranking Member; Anderson (arrived 1:45 p.m.), DeKoster (arrived 1:45 p.m.), Dreeszen, Small, Taylor (arrived 1:45 p.m.) and Wells.

Members Absent: Jensen.

Other Committee Business: Don Cox and Dean Crocker from the D.P.I. and Joe Millard, Area XI, Heartland AEA, led discussion on educational services of the AEA.

Adjourned: 3:00 p.m.

HUMAN RESOURCES

Convened: February 23, 1981, 3:03 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman, Drake (arrived 3:10 p.m.), Hulse, A. Miller, Nystrom and Slater.

Members Absent: Gratias and Vande Hoef (excused).

Other Committee Business: Discussed SSB 193, mental health reorganization.

Adjourned: 3:17 p.m.

JUDICIARY

Convened: February 24, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Small, Taylor, Lura (arrived 3:15 p.m.) and Ramsey (arrived 3:15 p.m.).

Members Absent: none.

Final Bill Action: Senate File 306, a bill for an act relating to review by the board of parole of certain offenders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Small, Taylor and Rush. Nays, none. Absent or not voting, 2: Ramsey and Lura.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 307, a bill for an act to permit a separate writing to identify bequests of certain tangible personal property in wills.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Baugher, Carr, Coleman, Deluhery, Rush, Doyle, Dreeszen, Murray, Small and Taylor. Nays, none. Absent or not voting, 2: Ramsey and Lura.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:00 p.m.

PRESENTATION OF VISITORS

Senator Jensen presented the following visitors who were present in the Senate chamber as his guests:

Anne-Marie Deceuninck, Belgium; Joke Beekman, Netherlands; Philippe Geniesse, France and Caroline Brokke, Netherlands, foreign exchange students visiting through the Youth for Understanding program.

AMENDMENTS FILED

S—3091	S. F.	268	Bob Rush
S—3092	S. F.	123	Emil J. Husak
S—3093	S. F.	225	Richard F. Drake
S—3094	S. F.	295	Richard F. Drake

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Wednesday, February 25, 1981.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 25, 1981

The Senate met in regular session 9:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Homer Larsen, pastor of the Nazareth Lutheran Church, Cedar Falls, Iowa.

The Journal of Tuesday, February 24, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Bob Beer, Resident at Iowa Lutheran Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the day on request of Senator Hutchins.

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 February 23, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 201, a bill for an act relating to the conditions and limitations applicable to investments by life insurance companies and associations in indebtedness secured by interests in real property.

ALSO: That the House has on February 23, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 430, a bill for an act eliminating the requirement that spouses execute the same joint instrument to convey the homestead.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 430, a bill for an act eliminating the requirement that spouses execute the same joint instrument to convey the homestead.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:15 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., President Branstad presiding.

BILL REFERRED TO COMMITTEE

President Branstad announced that **Senate File 286** was referred from the committee on **Agriculture** to the committee on **Labor and Industrial Relations**.

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 February 23, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 186, a bill for an act relating to the permissible use of proceeds of property sold by a county board of hospital trustees.

ALSO: That the House has on February 23, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 218, a bill for an act relating to the eligibility of drainage and levee district trustees.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 186, a bill for an act relating to the permissible use of proceeds of property sold by a county board of hospital trustees.

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

House File 218, a bill for an act relating to the eligibility of drainage and levee district trustees.

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

INTRODUCTION OF BILLS

Senate File 308, by Committee on Commerce, a bill for an act relating to offenses and penalties under the Iowa unauthorized insurers Act and the insurance trade practices Act.

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

Senate File 309, by Ramsey, a bill for an act relating to the rights and responsibilities of spouses in connection with the support of their dependents.

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

Senate File 310, by Committee on County Government, a bill for an act increasing from four percent to eight percent the penalty to be paid to redeem property sold for delinquent taxes.

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

Senate File 311, by Carr, Anderson and Palmer, a bill for an act relating to the scope of negotiations in public employment collective bargaining.

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

Senate File 312, by Committee on Energy, a bill for an act providing that passive solar energy systems added as improvements to buildings shall not increase the actual assessed and taxable value of the property for designated assessment years and making the Act retroactive.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Carney and Taylor for the remainder of the day on request of Senator Hultman.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 112

Senator Baugher called up for consideration Senate File 112, a bill for an act relating to the accounting for pay periods which overlap two fiscal years, effective upon publication, amended by the House, and moved that the Senate concur in House amendment S—3077 filed February 18, 1981, and found on pages 498-499 of the Senate Journal.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Baugher moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 112) the vote was:

Ayes, 43:

Anderson	Baugher	Bisenius	Briles
Brown	Coleman	Comito	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Slater	Small	Tieden	Vande Hoef
Van Gilst	Waldstein	Yenger	

Nays, 2:

Carr	Craft
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Absent or not voting, 5:

Carney	Gratias	Rodgers	Taylor
Wells			

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

Senate File 58

Senator Priebe called up for consideration Senate File 58, a bill for an act amending a provision of the Iowa consumer credit code to allow short-term loans to be repayable in full at the end of the loan term, amended by the House, and moved that the Senate concur in House amendment S—3090 filed February 24, 1981, and found on page 554 of the Senate Journal.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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 by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 58) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rush	Schwengels	Slater	Small
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 271.

Senate File 271

On motion of Senator Priebe, Senate File 271, a bill for an act requiring the brand be recorded on the bill of sale for cattle sold through sale barns, stockyards, and packing plants and providing a penalty, was taken up for consideration.

Senator Ramsey offered amendment S—3087 filed by him on February 23, 1981, to page 1 and the title page of the bill.

Senator Ramsey asked unanimous consent that Senate File 271 be referred to the committee on Agriculture.

Objection was raised by Senator Priebe.

Senator Ramsey withdrew his request.

Senator Ramsey moved the adoption of amendment S—3087, which motion prevailed by a voice vote.

Senator Priebe moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

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

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Baughner	Briles	Brown	Carr
Coleman	Craft	Deluhery	Doyle
Drake	Gallagher	Goodwin	Gratias
Miller, A.V.	Miller, C.P.	Murray	Priebe
Ramsey	Readinger	Rush	Small
Tieden	Van Gilst	Waldstein	Wells
Yenger			

Nays, 21:

Anderson	Bisenius	Comito	DeKoster
Dreeszen	Gentleman	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Kudart	Lura
Nystrom	Palmer	Schwengels	Slater
Vande Hoef			

Absent or not voting, 4:

Carney

Jensen

Rodgers

Taylor

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 180.

Senate File 180

On motion of Senator Holden, Senate File 180, a bill for an act to void an administrative rule of the Iowa state board of engineering examiners which requires a plat be drawn for every property survey, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein asked unanimous consent that action on Senate File 180 be deferred.

Objection was raised by Senator Small.

Senator Waldstein withdrew his request.

(Senate File 180 pending on adjournment.)

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	9	State Government
S. F.	298	Transportation
S. F.	301	Labor and Industrial Relations
S. F.	302	Commerce
S. F.	303	Judiciary
S. F.	304	State Government
H.F.	293	Human Resources
H.F.	396	Natural Resources
H.F.	413	State Government

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 225, the following technical corrections were made:

1. Amendment S—3093, page 1, line 25, the word "for" was changed to "forth". Page 1, line 50, the word "for" was changed to "forth".
2. Amendment S—3079, page 1, lines 11 through 15 should not be underlined.

LINDA HOWARTH MACKAY
Secretary of the Senate

STUDY BILLS RECEIVED

S.S.B. 289 Judiciary

Relating to photographs of property over which alleged unauthorized possession or control was exerted or which was otherwise allegedly unlawfully obtained.

S.S.B. 290 State Government

Relating to elections by revising the statutes governing the furnishing of nomination papers, nominations by nonparty political organizations, nominations of presidential electors, information requested for registration, closing registration for elections, the

hours of polling, reporting on party registration, allowing employees time off work to vote, and delivering absentee ballots.

**FURTHER
REPORTS OF COMMITTEE MEETINGS**

COMMERCE*

*A previous report of this meeting was recorded on page 513 of the Senate Journal.

Final Bill Action: Senate File 308, a bill for an act relating to offenses and penalties under the Iowa unauthorized insurers Act and the insurance trade practices Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Holden, Baugher, Comito, Craft, DeKoster, Husak, Jensen and Rush. Nays, none. Absent or not voting, 2: Deluhery and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 513 of the Senate Journal.

Final Bill Action: Senate File 310, a bill for an act increasing from four percent to eight percent the penalty to be paid to redeem property sold for delinquent taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Briles, Waldstein, Goodwin, Hester, C. Miller and Vande Hoef. Nays, 3: Wells, Brown and Priebe. Voting present: 1: Yenger.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 24, 1981, 9:45 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Presentation of an alternative to Governor's budget proposal by Representative Bruner; presentation of plan for Fort Madison by Hal Farrier.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 24, 1981, 9:45 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Dr. Robert Benton, State Superintendent of Schools, presented information on the Merged Area Schools budget.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 24, 1981, 9:55 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, Kudart and A. Miller.

Members Absent: none.

Other Committee Business: Presentations from the State Board of Pharmacy Examiners and the Commission on Aging.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 24, 1981, 9:45 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Budget presentations were given by Kay Williams and Herbert Selby, Campaign Finance Disclosure Commission; Mary Jane Odell, Bob Earle, Jack Galvin, Robert Farrell and Carole Larsen, Secretary of State's office—discussion followed; appointed subcommittee to study self-insured/workers compensation at special meeting on February 25 at 9:30 a.m.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 24, 1981, 9:50 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member (arrived 9:55 a.m.); Brown (arrived 10:55 a.m.), Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Sandy Scott, Director of Community Programs, DSS, assisted by Don Kassar, Medical Services, DSS, gave presentations on Title XIX and Medical Carrier.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 24, 1981, 9:45 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor and Wells.

Members Absent: Lura.

Other Committee Business: Budget presentations by Judicial Department and the Governor's office.

Adjourned: 11:50 a.m.

AGRICULTURE

Convened: February 24, 1981, 8:05 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Van Gilst and Waldstein.

Members Absent: Vande Hoef.

Other Committee Business: Assigned Senate File 261 to subcommittee and presentations on the raw milk bill.

Adjourned: 9:00 a.m.

ENERGY

Convened: February 25, 1981, 1:38 p.m.

Members Present: Ramsey, Chairperson; Gallagher, Ranking Member; Anderson, Briles, Doyle, Kudart, Readinger and Yenger.

Members Absent: Bisenius, Ranking Member (excused) and Rodgers (excused).

Final Bill Action: Senate File 312, a bill for an act providing that passive solar energy systems added as improvements to buildings shall not increase the actual assessed and taxable value of the property for designed assessment years and making the Act retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Ramsey, Gallagher, Anderson, Briles, Doyle, Kudart, Readinger and Yenger. Nays, none. Absent or not voting, 2: Bisenius and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: SSB 245 approved for redraft as a committee bill; subcommittee assignments announced for SCR 9 and SSBs 280 and 281.

Adjourned: 2:05 p.m.

JUDICIARY

Convened: February 25, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Ramsey and Small.

Members Absent: Lura and Taylor.

Final Bill Action: House File 211, a bill for an act relating to the salary rate to be paid to judicial magistrates in counties which appoint an additional judicial magistrate and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Ramsey and Small. Nays, none. Absent or not voting, 2: Lura and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; committee gave first approval of SSB 121.

Adjourned: 3:20 p.m.

TRANSPORTATION

Convened: February 24, 1981, 1:40 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom.

Members Absent: Bisenius.

Other Committee Business: Presentations were given on the status of the railroad system in Iowa by Jerry Conlon, Senior Vice President and Stuart Gassner, Assistant General Counsel, North Western Transportation Company and Les Holland, Department of Transportation.

Adjourned: 2:45 p.m.

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 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, 1981.

Senate File 177.

LINDA HOWARTH MACKAY
Secretary of the Senate

PRESENTATION OF GUEST

President Branstad welcomed the Honorable James Schaben, former member of the Senate from Harrison County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3095	S. F.	145	C.W. Bill Hutchins
S—3096	S. F.	25	Arthur L. Gratias
S—3097	H.F.	413	Emil J. Husak

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Thursday, February 26, 1981.

Note: For explanation of brackets and italics, see page 58 of the Senate Journal.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 26, 1981

The Senate met in regular session at 9:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Thomas Geelan, Superintendent of the Kuemper Catholic High School, Carroll, Iowa.

The Journal of Wednesday, February 25, 1981, was approved.

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 February 24, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 8, a resolution directing the Governor to designate March 21 of each year as Bird Day.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 8

By: Pellett

- 1 *Whereas*, birds are one of the most important groups of
- 2 land-living vertebrates in the world; and
- 3 *Whereas*, birds are helpful to humans by destroying harmful
- 4 insects, weed seeds, rats, and mice; and
- 5 *Whereas*, knowledge about birds has enabled men and women
- 6 to develop theories about flight; and
- 7 *Whereas*, it is beneficial to learn about the importance
- 8 of birds in order to halt their destruction; *Now Therefore*,
- 9 *Be It Resolved by the House of Representatives, the Senate*
- 10 *Concurring*, That the Governor of this state is directed to
- 11 designate March 21 of each year as Bird Day and to urge that
- 12 the residents of this state observe the day by devoting a

- 13 portion of it to a study of birds, including their habits
14 and usefulness and the best means of protecting birds.

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

INTRODUCTION OF BILLS

Senate File 313, by Tieden, 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 314, by Schwengels, a bill for an act giving a cash seller of grain the right, as against all adverse claimants, to reclaim the grain or equivalent value, in lieu of recovering the price, if a commercial buyer of grain fails to make payment when due.

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

Senate File 315, by Schwengels, a bill for an act to require occupational licensing boards to provide certain information to applicants requesting the information.

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

Senate File 316, by Schwengels, a bill for an act relating to the procedures for review and approval by the Iowa state commerce commission of rates, charges, schedules, and regulations of public utilities and providing penalties, and a January 1 effective date for part of the Act.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:20 a.m., until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 317, by Hultman, a bill for an act relating to tuition payments for attendance of certain Iowa pupils in public schools outside the state.

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

Senate File 318, by Hultman, a bill for an act to allow the operator of a motorized bicycle to transport another person if the motorized bicycle is designed and constructed for carrying another person.

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

Senate File 319, by Craft, Waldstein and Murray, a bill for an act relating to administrative positions within the department of social services.

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

Senate File 320, by Committee on Labor and Industrial Relations, a bill for an act relating to the performance of audiometric examinations under the Iowa occupational hearing loss Act.

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

INTRODUCTION OF RESOLUTIONS

SENATE CONCURRENT RESOLUTION 10

By: Committee on Labor and Industrial Relations

- 1 *Whereas*, federal laws and regulations governing the
- 2 administration of the Iowa Employment Security Law
- 3 require the state unemployment compensation trust
- 4 fund to be deposited, administered, and invested
- 5 at the federal level; and
- 6 *Whereas*, the funds deposited at the federal level
- 7 represent the contributions of over 65,000 Iowa
- 8 employers; and

9 *Whereas*, the contributions of Iowa employers will be
 10 next year approximate \$150 million; and
 11 *Whereas*, a review of the unemployment compensation
 12 trust fund portfolio suggests that the state could
 13 achieve a far superior annual rate of return by taking
 14 responsibility of the administration and investment of
 15 its own employer taxes; *Now Therefore*,
 16 *Be It Resolved by the Senate, the House*
 17 *Concurring*, That the Congress of the United States
 18 is urged to take action to allow the state to control
 19 its own trust funds; and
 20 *Be It Further Resolved*, That a copy of this resolu-
 21 tion be sent to the Secretary of the United States
 22 Department of Labor, and to each member of the Iowa
 23 Congressional Delegation.

Read first time and placed on calendar.

SENATE CONCURRENT RESOLUTION 11
 By: Committee on Labor and Industrial Relations

1 *Whereas*, federal laws and regulations governing the
 2 administration of the Federal Unemployment Tax Act
 3 require the payment of unemployment taxation on the
 4 wages of corporate officers who are employees of the
 5 corporation; and
 6 *Whereas*, the unemployment taxation on the wages of
 7 corporate officers consistently causes problems for
 8 small employer-owned and -operated corporations, single
 9 person corporations, and family-owned corporations; and
 10 *Whereas*, corporate officers frequently have a voice
 11 in the decision to temporarily or permanently cease the
 12 corporation's business and thus voluntarily terminate
 13 their own employment and become ineligible for unemploy-
 14 ment compensation benefits; and
 15 *Whereas*, corporate officers often are involved in
 16 seasonal enterprises and during the off-season repair
 17 equipment, seek new customers, keep the books of the
 18 corporation, and conduct other corporate business, and
 19 thus disqualify themselves from the receipt of unemploy-
 20 ment compensation benefits by failing to meet the avail-
 21 ability requirements of the Iowa Employment Security
 22 Law; and
 23 *Whereas*, even if the state excluded corporate
 24 officers functioning as employees from state unemployment
 25 taxation on their wages, the corporate officers would
 26 still be subject to federal unemployment taxation on
 27 their wages; *Now Therefore*,
 28 *Be It Resolved by the Senate, the House Concurring*,

29 That the Congress of the United States is urged to take
30 prompt action to exempt from federal unemployment tax-

Page 2

1 tion the wages of corporate officers who are corporate
2 employees; and
3 *Be It Further Resolved*, That a copy of this resolu-
4 tion be sent to the secretary of the United States
5 Department of Labor, and to each member of Congress,
6 from Iowa.

Read first time and placed on calendar.

SENATE RESOLUTION 10
By: Readinger and Gentleman

1 *Whereas*, Constance Belin had an interest and participated
2 in a wide range of subjects in the fields of education and
3 civic affairs; and

4 *Whereas*, Constance Belin was an active board member of
5 the Governing Board of the Des Moines Symphony, National
6 Council of Christians and Jews, Greater Des Moines Art and
7 Recreation Council, and Advisory Board of the Gifted and
8 Talented Program for the Department of Public Instruction;
9 and

10 *Whereas*, Constance Belin was appointed by Governor Robert
11 D. Ray to the Iowa State Board of Regents and State Education
12 Radio and Television Facility Board and was also appointed
13 to the United States Commission on Presidential Scholars by
14 President Gerald Ford; and

15 *Whereas*, Constance Belin was also active in the affairs
16 of her religious groups and local educational organizations;
17 and

18 *Whereas*, Constance Belin was most proud of her role as
19 a teacher, mother of five children, and as a wife but was
20 willing to share her energy and talents for the betterment
21 of the people and children of Iowa; *Now Therefore*,

22 *Be It Resolved by the Senate*, That the Senate pay tribute
23 to the memory of Constance Belin and recognize her many con-
24 tributions for the betterment of the education systems of
25 this state and her community, her state, and her nation; and

26 *Be It Further Resolved*, That a copy of this resolution
27 be forwarded to David Belin, husband of Constance Belin, and
28 the children of David and Constance Belin.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

President Branstad announced that **Senate File 312** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

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

The Senate resumed session, President Branstad presiding.

RECESS

On motion of Senator Hultman, the recessed until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:00 p.m., President Branstad 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 February 25, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 414, a bill for an act relating to funds available to school districts, including authorizing the levy of a tax for cash reserve, and the imposition of an income surtax retroactive to January 1, 1981, and including the computation of state school foundation aid, and providing that the Act takes effect upon its publication.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 414, a bill for an act relating to funds available to school districts, including authorizing the levy of a tax for cash reserve, and the imposition of an income surtax retroactive to January 1, 1981, and including the computation of state school foundation aid, and providing that the Act takes effect upon its publication.

Read first time and referred to the committee on **Education**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 211

Labor and Industrial Relations
Hulse, Chairperson
Hultman
Brown

SENATE FILE 255

Judiciary
Kudart, Chairperson
Rush
Murray

SENATE FILE 265

Commerce
DeKoster, Chairperson
Comito
Rush

SENATE FILE 273

County Government
Wells, Chairperson
Yenger
Hester

SENATE FILE 279

Cities
Waldstein, Chairperson
Comito
Kinley

SENATE FILE 281

Cities
Holden, Chairperson
Readinger
Slater

SENATE FILE 285

Commerce
Holden, Chairperson
DeKoster
Husak

SENATE FILE 290

Transportation
Drake, Chairperson

SENATE FILE 249

Human Resources
Vande Hoef, Chairperson
Nystrom
Gentleman

SENATE FILE 261

Agriculture
Waldstein, Chairperson
Vande Hoef
Husak

SENATE FILE 267

Natural Resources
Tieden, Chairperson
Van Gilst
Rodgers

SENATE FILE 274

Transportation
Drake, Chairperson
Jensen
Coleman

SENATE FILE 280

Education
Dreeszen, Chairperson
Jensen
Anderson

SENATE FILE 282

Cities
Holden, Chairperson
Readinger
Slater

SENATE FILE 288

Judiciary
Murray, Chairperson
Rush
DeKoster

SENATE FILE 291

State Government
Schwengels, Chairperson

Jensen
Coleman

SENATE FILE 296

Commerce
DeKoster, Chairperson
Comito
Rush

**SENATE CONCURRENT
RESOLUTION 9**

Energy
Yenger, Chairperson
Gallagher
Kudart

HOUSE FILE 398

Appropriations
Appropriations Subcommittee on
Regulatory and Finance

**HOUSE CONCURRENT
RESOLUTION 9**

County Government
Priebe, Chairperson
Goodwin
Wells

SSB 95

State Government
Schwengels, Chairperson
Drake
Gallagher

SSB 257

Judiciary
Doyle, Chairperson
Lura
Deluhery

SSB 261

Natural Resources
Gentleman, Chairperson
Tieden
Hutchins

SSB 263

Labor and Industrial Relations
Carney, Chairperson

Briles
Gallagher

SENATE FILE 297

State Government
Schwengels, Chairperson
Briles
Gallagher

HOUSE FILE 154

Judiciary
Kudart, Chairperson
Coleman
Ramsey

**HOUSE CONCURRENT
RESOLUTION 6**

Judiciary
Kudart, Chairperson
Lura
Small

**HOUSE CONCURRENT
RESOLUTION 12**

Rules and Administration
Hultman, Chairperson
Jenkins
Holden

SSB 98

State Government
Hutchins, Chairperson
Gentleman
Lura

SSB 258

Judiciary
Murray, Chairperson
Dreeszen
Baughner

SSB 262

Judiciary
Coleman, Chairperson
Dreeszen
Ramsey

SSB 265

Natural Resources
Kudart, Chairperson

Hultman
Kinley

SSB 266

Natural Resources
Rodgers, Chairperson
Schwengels
Van Gilst

SSB 269

Human Resources
Hulse, Chairperson
Carr
Slater

SSB 271

Human Resources
Gratias, Chairperson
C. Miller
Drake

SSB 273

Human Resources
Gratias, Chairperson
C. Miller
Drake

SSB 275

Natural Resources
Goodwin, Chairperson
Gentleman
Gallagher

SSB 277

State Government
Hutchins, Chairperson
Schwengels
Craft

SSB 279

Commerce
DeKoster, Chairperson
Comito
Rush

SSB 281

Energy
Readinger, Chairperson

Van Gilst
Hutchins

SSB 267

Commerce
Craft, Chairperson
Rush
Baugher

SSB 270

Human Resources
Gratias, Chairperson
C. Miller
Drake

SSB 272

Human Resources
Gratias, Chairperson
C. Miller
Drake

SSB 274

Natural Resources
Goodwin, Chairperson
Tieden
Rodgers

SSB 276

Natural Resources
Hutchins, Chairperson
Goodwin
Kudart

SSB 278

Commerce
Holden, Chairperson
Jensen
Deluhery

SSB 280

Energy
Ramsey, Chairperson
Anderson
Doyle
Kudart
Readinger

SSB 282

Natural Resources
Kudart, Chairperson

Bisenius
Doyle

Van Gilst
Gallagher

SSB 283

Natural Resources
Goodwin, Chairperson,
Van Gilst
Hutchins

SSB 284

Commerce
Craft, Chairperson
Jensen
Husak

SSB 285

Judiciary
Murray, Chairperson
Deluhery
Baugher

SSB 286

Judiciary
Kudart, Chairperson
Rush
Ramsey

SSB 288

County Government
Vande Hoef, Chairperson
Brown
Waldstein

SSB 289

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SSB 290

State Government
Nystrom, Chairperson
Slater
Schwengels

The following special Appropriations subcommittee on Federal Aid has been appointed:

Clarence Carney, Chairperson
Sue Yenger
Forrest V. Schwengels
Patrick J. Deluhery
Arthur A. Small, Jr.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 271 failed to pass the Senate on February 25, 1981.

LOWELL L. JUNKINS

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 25, 1981, when the votes were taken on Senate Files 58 and 112.

Had I been present, I would have voted "aye".

RAY TAYLOR

COMMUNICATION

The following communication was received in the Senate:

Dear Lt. Governor Branstad, Senators and Staff,

Please accept my sincere gratitude for the beautiful flowers and your contribution to the American Cancer Society in memory of my dad, J. Willard Howarth. Your kindness and support during this most difficult period is overwhelming in its sincerity; and, my family and I thank all of you.

Respectfully,

Linda Howarth Mackay

REPORT OF INVESTIGATING COMMITTEE

Pursuant to Senate Rule 58, the Committee on Human Resources assigned to investigate the character and qualifications of Catherine G. Williams, Des Moines, Polk County, Iowa, for appointment as a member of the State Health Facilities Council under the provisions of Section 135.62, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1981, and a regular term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON HUMAN RESOURCES
JULIA GENTLEMAN, Chairperson

STUDY BILL RECEIVED

S.S.B. 291 Ways and Means

Relating to county taxes, funds, budgeting and accounting.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	309	Judiciary
S. F.	311	Labor and Industrial Relations
H. F.	186	County Government
H. F.	218	Agriculture
H. F.	430	Judiciary

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 25, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Discussion on policy consideration for Corrections; Hal Farrier presented a paper titled "Assumptions".

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 25, 1981, 9:35 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Budget presentations by: Don Bennett, Director and Legal Advisor for the Professional Teaching Practices Commission; Jolly Ann Davidson, President of the Board of Directors, IPBN and Larry Patten, Director of IPBN; Dr. Robert Benton, State Superintendent of Public Instruction.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 25, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Presentation from the Department of Substance Abuse and guest speaker, Professor Harold Mulford, University of Iowa, Alcohol Studies Program.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 25, 1981, 10:50 a.m.

Members Present: Jensen, Chairperson; Gratias, Hulse and C. Miller.

Members Absent: Rush, Ranking Member.

Other Committee Business: Milford Fjare and John Roberts, Board of Landscape Architectural Examiners, presented their budget; Irwin Frerichs and Jim Hunsaker presented a proposal to purchase the building at 150 Des Moines Street for Job Service, now being leased; discussion followed.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 25, 1981, 9:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Sandy Scott, Director, Community Services, DSS, appeared regarding Income Maintenance on Title XIX and Medical Carrier program; Ken Helmers gave a factual review of Summerset Haven in Winterset; Jean Erickson, Iowa Care Facility Association for the state of Iowa, gave a cost presentation on Custodial Care, Inc.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 25, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Lura and Wells.

Members Absent: Taylor (excused).

Other Committee Business: Budget presentations by the Prosecuting Attorney's Training Coordinator, Academy of Science, Executive Council, Lt. Governor's office, Appellate Defender's office, Pioneer Lawmakers, Commission on Uniform State Laws, Council of State Governments and the National Conference of State Legislatures.

Adjourned: 11:45 a.m.

APPROPRIATIONS

Convened: February 26, 1981, 12:50 p.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius, Carney (arrived 1:00 p.m.), Deluhery, Hultman, Jensen, Junkins, Rush, Schwengels, Slater, Small, Van Gilst, Waldstein and Yenger.

Members Absent: Ramsey.

Final Bill Action: House File 232, a bill for an act relating to the funding of specified programs of the department of social services during the fiscal year beginning July 1, 1980 and ending June 30, 1981, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Murray, Tieden, Baugher, Bisenius, Carney, Hultman, Jensen, Schwengels, Waldstein and Yenger. Nays, 8: Palmer, Anderson, Deluhery, Junkins, Rush, Slater, Small and Van Gilst. Absent or not voting, 1: Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 398, a bill for an act relating to the funding of the operations of the utilities division of the Iowa state commerce commission, and providing for semiannual remainder assessments against public utilities, and for a supplemental appropriation of two hundred thousand dollars to the commerce commission for the fiscal year commencing July 1, 1980, and ending June 30, 1981, for operational purposes, to be effective upon publication.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Deluhery, Hultman, Jensen, Junkins, Rush, Schwengels, Slater, Small, Van Gilst, Waldstein and Yenger. Nays, none. Voting present, 1: Carney. Absent or not voting, 1: Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:15 p.m.

CITIES

Convened: February 25, 1981, 3:02 p.m.

Members Present: Readinger, Chairperson; Comito, Vice Chairperson; A. Miller, Ranking Member; Carney, Kinley, Slater, Waldstein and Wells.

Members Absent: Holden.

Other Committee Business: Assigned bills to subcommittees; SSB 149 approved as a committee bill.

Adjourned: 3:25 p.m.

COMMERCE

Convened: February 25, 1981, 1:30 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member (arrived 1:50 p.m.); Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; discussed SSBs 197 and 220.

Adjourned: 2:30 p.m.

COUNTY GOVERNMENT

Convened: February 24, 1981, 3:00 p.m.

Members Present: Briles, Chairperson, Waldstein, Vice Chairperson, Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger.

Members Absent: none.

Final Bill Action: Senate File 209, a bill for an act to amend the county agricultural extension law by providing for approval of the county agricultural extension council budget by the board of supervisors and increasing the dollar amount which may be levied for budget.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Briles, Waldstein, Wells, Brown, Goodwin, C. Miller, Priebe, Vande Hoef and Yenger. Nays, 1: Hester.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 247, a bill for an act to authorize the establishment of a consolidated government, for a county, providing for its organization and operation, providing for the imposition of local taxes by the consolidated government, and subjecting violators to penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Discussed Senate File 266—deferred action.

Adjourned: 4:00 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 26, 1981, 8:33 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Brown, Goodwin, Gratias, Hultman, Kinley and Wells.

Members Absent: Anderson, Ranking Member.

Final Bill Action: Senate File 320, a bill for an act relating to the performance of audiometric examinations under the Iowa occupational hearing loss Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Hulse, Carney, Brown, Goodwin, Gratias, Hultman, Kinley and Wells. Nays, none. Absent or not voting, 1: Anderson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate Concurrent Resolution 10, a resolution urging the Congress of the United States to allow the state to control its own unemployment compensation trust fund.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Hulse, Carney, Brown, Goodwin, Gratias, Hultman, Kinley and Wells. Nays, none. Absent or not voting, 1: Anderson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate Concurrent Resolution 11, a resolution urging the Congress of the United States to exempt from federal unemployment taxation the wages of corporate officers who are corporate employees.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 7: Hulse, Carney, Goodwin, Gratiias, Hultman, Kinley and Wells.
Nays, 1: Brown. Absent or not voting, 1: Anderson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:45 a.m.

NATURAL RESOURCES

Convened: February 25, 1981, 8:00 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden, Gallagher and Hutchins.

Members Absent: Rodgers (excused).

Other Committee Business: Assigned bills to subcommittees; approved SSB 71 as a committee bill.

Adjourned: 8:35 a.m.

AMENDMENTS FILED

S—3098	S. F.	110	Elvie L. Dreeszen
S—3099	S. F.	284	Bob Rush
S—3100	H.F.	232	Lowell L. Junkins William D. Palmer Bob Rush
S—3101	S. F.	210	Ted Anderson Arthur A. Small, Jr.

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:05 p.m., until 10:00 a.m., Monday, March 2, 1981.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 2, 1981

The Senate met in regular session at 10:04 a.m., President Branstad presiding.

Prayer was offered by Dr. Louis Haselmayer, President of Iowa Wesleyan College, Mount Pleasant, Iowa.

The Journal of Thursday, February 26, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Rush and Kinley for the day on request of Senator Junkins.

INTRODUCTION OF BILL

Senate File 321, by Committee on State Government, a bill for an act relating to the fees and licenses issued by the department of agriculture.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 305

On motion of Senator Murray, Senate File 305, a bill for an act relating to the reduction, reversion, and allocation of funds previously appropriated by the general assembly and providing a publication clause, was taken up for consideration.

Senator Baugher offered amendment S—3105 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3105 was adopted by a voice vote.

Senator Husak offered amendment S—3107 filed by Senators Husak, et al., from the floor to page 6 of the bill.

(Senate File 306 and amendment S—3107 pending on recess.)

RECESS

On motion of Senator Hultman, the Senate recessed at 12:00 noon, until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

Senator Holden took the chair at 3:06 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 24, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 47, a bill for an act relating to the contents of a permit or license application.

ALSO: That the House has on February 19, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 349, a bill for an act to authorize the establishment of a drainage and levee district revolving fund by the county board of supervisors in any county where one or more districts are under the management and control of that board.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 47, a bill for an act relating to the contents of a permit or license application.

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

House File 349, a bill for an act to authorize the establishment of a drainage and levee district revolving fund by the county board of supervisors in any county where one or more districts are under the management and control of that board, and to authorize a one-time assessment on land in the districts for the purpose of establishing the fund.

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

INTRODUCTION OF BILLS

Senate File 322, by Committee on Natural Resources, a bill for an act prohibiting certain uses of licenses issued by the state conservation commission and providing a penalty.

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

Senate File 323, by Rodgers, a bill for an act relating to mobile homes by providing that the semi-annual mobile home tax is due and payable and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, that title shall not be transferred if taxes are owing, that mobile homes are not subject to annual registration, and that before mobile homes can be transported a tax clearance

that taxes are not owing must be obtained, requiring that present owners who are not titled in the county where their mobile homes are located must notify the county treasurer and providing a January 1 effective date.

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

Senate File 324, by Committee on Commerce, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty.

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

Senate File 325, by Committee on State Government, a bill for an act relating to licensure of speech pathologists and audiologists.

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

Senate File 326, by Hutchins and Schwengels, a bill for an act relating to the continuing education requirement of assessors and deputy assessors.

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

BUSINESS PENDING

Senate File 305

The Senate resumed consideration of Senate File 305 and amendment S—3107 by Senators Husak, et al., offered and pending.

Senator Husak moved the adoption of amendment S—3107 to page 6 of the bill and requested a record roll call.

On the question "Shall amendment S—3107 be adopted?" (S.F. 305) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Anderson
Deluhery

Brown
Doyle

Carr
Gallagher

Coleman
Husak

Hutchins	Junkins	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	

Nays, 29:

Baughar	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Absent or not voting, 2:

Kinley	Rush
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Amendment S—3107 lost.

Senator Priebe offered amendment S—3114 filed by him from the floor to page 7 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3114 be adopted?" (S.F. 305) the vote was:

Ayes, 18:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst		

Nays, 29:

Baughar	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Junkins	Kudart	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Absent or not voting, 3:

Kinley	Rush	Wells
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Amendment S—3114 lost.

Senator Tieden offered amendment S—3109 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—3109 was adopted by a voice vote.

Senator Slater offered amendment S—3103 filed by him from the floor to page 13 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3103 be adopted?” (S.F. 305) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Anderson	Briles	Brown	Carr
Coleman	DeKoster	Deluhery	Doyle
Gallagher	Husak	Hutchins	Junkins
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Rodgers	Slater	Small	Van Gilst
Wells			

Nays, 26:

Baughner	Bisenius	Carney	Comito
Craft	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hultman	Jensen	Kudart	Lura
Murray	Nystrom	Ramsey	Readinger
Schwengels	Taylor	Tieden	Vande Hoef
Waldstein	Yenger		

Absent or not voting, 3:

Hulse	Kinley	Rush
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Amendment S—3103 lost.

Senator Van Gilst offered amendment S—3104 filed by him from the floor to page 14 of the bill.

Senator Miller of Des Moines offered amendment S—3113 filed by him from the floor to amendment S—3104.

Senator Murray asked unanimous consent that action on amendment S—3113 be deferred.

Objection was raised by Senator Junkins.

Senator Hultman asked and received unanimous consent that action on amendment S—3104 and amendment S—3113 to amendment S—3104 be deferred.

Senator Priebe offered amendment S—3115 filed by him from the floor to page 9 of the bill.

Senator Tieden raised the point of order that amendment S—3115 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3115 out of order.

The Senate resumed consideration of amendment S—3104 by Senator Van Gilst to page 14 of the bill, previously deferred.

Senator Waldstein offered amendment S—3116 filed by him from the floor to amendment S—3104.

Senator Junkins asked and received unanimous consent that action on amendment S—3104 and amendment S—3116 to amendment S—3104 be deferred.

Senator Hutchins offered amendment S—3110 filed by Senators Hutchins and Junkins from the floor to page 20 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3110 be adopted?" (S.F. 305) the vote was:

Ayes, 19:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	

Nays, 27:

Baughner	Bisenius	Briles	Carney
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Comito	Craft	DeKoster	Drake
Dreeszen	Goodwin	Gratias	Hester
Holden	Hultman	Jensen	Kudart
Lura	Murray	Nystrom	Ramsey
Readinger	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Yenger	

Absent or not voting, 4:

Gentleman	Hulse	Kinley	Rush
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Amendment S—3110 lost.

Senator Junkins withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I moved to reconsider the vote by which amendment S—3114 to Senate File 305 failed to be adopted by the Senate on March 2, 1981.

Senator Van Gilst offered amendment S—3118 filed by Senators Van Gilst, et al., from the floor to page 14 of the bill and moved its adoption.

Amendment S—3118 was adopted by a voice vote.

Senator Yenger asked and received unanimous consent to withdraw amendment S—3106 filed by Senators Yenger, et al., from the floor to page 14 of the bill.

Senator Van Gilst asked and received unanimous consent to withdraw amendment S—3104 to page 14 of the bill, previously deferred.

Senator Waldstein asked and received unanimous consent to withdraw amendment S—3116 to amendment S—3104, previously deferred.

With the withdrawal of amendment S—3104, amendment S—3113 by Senator Miller of Des Moines to amendment S—3104, previously deferred, was out of order.

Senator Murray moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 305) the vote was:

Ayes, 40:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Murray	Nystrom	Priebe
Ramsey	Readinger	Rodgers	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 8:

Anderson	Brown	Carr	Coleman
Deluhery	Miller, C.P.	Palmer	Small

Absent or not voting, 2:

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

APPENDIX**BILLS SIGNED BY THE GOVERNOR**

A communication was received announcing that on February 27, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 177—Relating to the liability of the industrial loan guaranty fund for acts and omissions of the Auditor of State.

H.F. 233—Relating to joint meetings of meetings of members of boards of an area education agency and its corresponding merged area.

H.F. 236—Providing that the State Comptroller shall approve the quarterly allotment of funds appropriated subject to the Governor's review or modification.

COMMUNICATION

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

COMMISSION ON PROFESSIONAL AND OCCUPATIONAL REGULATION

A copy of the annual report of the Commission on Professional and Occupational Regulation, pursuant to Section 2B.3, Code 1981.

COMMUNICATION FROM THE SECRETARY OF STATE

February 27, 1981

Linda Howarth Mackay
Secretary of the Senate
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 93, was published in The Hampton Chronicle, Hampton, Iowa, on February 19, 1981, and in The Waverly Democrat, Waverly, Iowa, on February 19, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

STUDY BILLS RECEIVED

S.S.B. 292 County Government

Relating to quarterly reports by county officers.

S.S.B. 293 State Government

Increasing corporate and uniform commercial code filing fees and appropriating funds to pay the cost of computerizing the corporate and uniform commercial code filing systems.

S.S.B. 294 County Government

Relating to the qualifications, status, and appointment of county attorney investigators.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration placed the following Governor's appointments on the En Bloc Confirmation Calendar on March 2, 1981, and recommended the appointments be confirmed:

State Board of Speech Pathology and Audiology Examiners—Jacqueline F. Bryant

Board of Examiners for Nursing Home Administrators—Dr. Richard Rabe

State Board of Dental Examiners—Connie Price

Credit Union Review Board—James J. McCue

State Board of Medical Examiners—Reid E. Motley

Credit Union Review Board—Aileen Brown

State Board of Cosmetology Examiners—Nancy Welter

Job Service Advisory Council—Raymond P. Henely

Iowa Real Estate Commission—Monroe Colston

CALVIN O. HULTMAN, Chairperson

REPORT OF COMMITTEE

COMMERCE

Final Bill Action: Senate File 324, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Holden, Baugher, Deluhery, Comito, Craft, DeKoster, Husak, Jensen and Priebe. Nays, none. Absent or not voting, 1: Rush.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES*

*A previous report of this meeting was recorded on page 597 of the Senate Journal.

Final Bill Action: Senate File 322, a bill for an act prohibiting certain uses of licenses issued by the state conservation commission and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gallagher, Gentleman, Hutchins, Kudart and Tieden. Nays, none. Absent or not voting, 1: Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 551-552 of the Senate Journal.

Final Bill Action: Senate File 321, a bill for an act relating to the fees and licenses issued by the department of agriculture.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Nystrom, Lura, Drake, Gallagher, Gentleman, C. Miller, Schwengels and Tieden. Nays, 3: Slater, Briles and Carr. Absent or not voting, 3: Craft, Hutchins and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 325, a bill for an act relating to licensure of speech pathologists and audiologists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Schwengels and Tieden. Nays, none. Absent or not voting, 2: Craft and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 26, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Charles Shelton gave a presentation on Updated Population Projections; George Keiser gave an overview of Community Corrections in Iowa; committee finished discussion on Policy Consideration for Correction.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 26, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; and Dreeszen.

Members Absent: Hutchins and Nystrom.

Other Committee Business: Board of Regents presentation by: Mary Louise Peterson, President of Board; Dr. Parks, President, ISU; Dean Boylan, College of Engineering, ISU; Dean Kolmer, College of Agriculture, ISU and Dr. Kameron, UNI.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 26, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; A. Miller and Kudart.

Members Absent: Husak, Ranking Member and Readinger.

Other Committee Business: Presentations from the following agencies: Employment of the Handicapped Commission; Civil Rights Commission and Spanish-Speaking Peoples Commission.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 26, 1981, 9:35 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Made recommendations and decisions on the following: Board of Landscape Architectural Examiners, State Board of Watchmaking Examiners, Board of Accountancy, State Board of Engineering Examiners, Iowa Real Estate Commission, Credit Union Department and Banking Department; reconfirmed decision on Occupational Safety and Health Review Commission and Treasurer of State.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 26, 1981, 9:34 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown (arrived 9:40 a.m.), Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Sandy Scott, Director of Community Programs, DSS, assisted by other members of her staff, presented an Overview of Services; Lynn Barney, State Comptroller's office, reviewed DSS budget revisions to the Governor's recommendations by fiscal year '82.

Adjourned: 11:57 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 26, 1981, 9:40 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Budget presentations by the Merit Employment Department and the Attorney General's office.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 26, 1981, 9:32 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden (arrived 10:00 a.m.).

Members Absent: none.

Other Committee Business: Discussion on FY 82 and FY 83 budgets.

Adjourned: 10:45 a.m.

EDUCATION

Convened: February 26, 1981, 3:10 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster (arrived 3:15 p.m.), Dreeszen, Jensen, Small (arrived 3:30 p.m.), Taylor (arrived 3:15 p.m.) and Wells.

Members Absent: none.

Other Committee Business: Assigned Senate File 280 to subcommittee; ordered SSB 17 redrafted; deferred action on Senate Files 162, 210 and 218 and House File 157.

Adjourned: 4:00 p.m.

HUMAN RESOURCES

Convened: February 26, 1981, 1:37 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef.

Members Absent: none.

Other Committee Business: Approved appointment of Catherine Williams to State Health Facilities Council; approved SSB 193 without recommendation and ordered redrafted for final approval as a committee bill.

Adjourned: 2:25 p.m.

STATE GOVERNMENT

Convened: February 26, 1981, 3:10 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: none.

Final Bill Action: Senate File 28, a bill for an act to allow instructional staff of a professional school to serve on the licensing board of that profession.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 48, a bill for an act providing for the joint financing by public agencies of electric power facilities and other facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Slater, Briles, Carr, Drake, Gallagher, Hutchins, C. Miller and Palmer. Nays, 6: Nystrom, Lura, Craft, Gentleman, Schwengels and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: March 2, 1981, 1:37 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake (arrived 1:40 p.m.), Gallagher, Gentleman, Hutchins, C. Miller (arrived 1:40 p.m.) and Schwengels.

Members Absent: Palmer and Tieden.

Final Bill Action: Senate File 170, a bill for an act relating to the payment of salary and expenses of members of the state functional classification review board.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller and Schwengels. Nays, none. Absent or not voting, 2: Palmer and Tieden.

Fiscal Note: NOT-REQUIRED UNDER JOINT RULE 16.

Other Committee Business: David Bailey, Legislative Service Bureau, discussed election law bill for information of legislative committee members; LSB 1563S was discussed and action was deferred until March 5 meeting; Senate File 154 was discussed and debated—deferred action.

Adjourned: 2:15 p.m.

WAYS AND MEANS

Convened: February 26, 1981, 1:33 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Lura, Palmer, Priebe, Ramsey, Rush, Taylor and Van Gilst (arrived 1:45 p.m.).

Members Absent: Junkins (excused).

Other Committee Business: SSB 80 ordered redrafted as amended for final approval as a committee bill; SENATE FILE 157, a bill for an act to extend the property tax levy for flood and erosion control to all taxable property outside the corporate limits of a city, FAILED RECOMMENDATION FOR PASSAGE. Final vote: Ayes, 6: Craft, Hester, Husak, Palmer, Priebe and Ramsey. Nays, 8: Readinger, Rodgers, Holden, Hultman, Lura, Rush, Taylor and Van Gilst. Absent or not voting, 1: Junkins.

Adjourned: 2:25 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Doyle from fifty-two residents of Woodbury County opposing legislation regarding an Iowa mandatory helmet law.

Senator Schwengels from forty-two residents of Jefferson County favoring legislation requiring voter approval of any surtax and other tax levied for school budgets.

Senator Rodgers from ninety residents of Dallas County urging the legislature to maintain the funding level announced in September, 1980, to the Perry Community Schools.

BILLS ASSIGNED TO COMMITTEE

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

S. R.	10	Rules and Administration
S. F.	313	Ways and Means
S. F.	314	Agriculture
S. F.	315	State Government
S. F.	316	Commerce
S. F.	317	Education
S. F.	318	Transportation
S. F.	319	State Government
H.C.R.	8	Rules and Administration

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-eight students from Western Hills School, West Des Moines, Iowa, accompanied by Paul Linn. Senator Gentleman.

AMENDMENTS FILED

S—3102	S. F.	209	John W. Jensen
S—3103	S. F.	305	Tom Slater
S—3104	S. F.	305	Bass Van Gilst
S—3105	S. F.	305	Gary L. Baugher
S—3106	S. F.	305	Sue Yenger
			Tom Slater
			Dick Ramsey
			Arne Waldstein
S—3107	S. F.	305	Emil J. Husak
			C.W. Bill Hutchins
			Tom Slater
			Berl E. Priebe
			Alvin V. Miller
S—3108	S. F.	289	Gary L. Baugher
S—3109	S. F.	305	Dale L. Tieden
S—3110	S. F.	305	C.W. Bill Hutchins
			Lowell L. Junkins
S—3111	S. F.	268	Donald V. Doyle
S—3112	S. F.	263	Jack W. Hester

S—3113	S. F.	305	Charles P. Miller
S—3114	S. F.	305	Berl E. Priebe
S—3115	S. F.	305	Berl E. Priebe
S—3116	S. F.	305	Arne Waldstein
S—3117	S. F.	324	Edgar H. Holden Emil J. Husak Lucas J. DeKoster
S—3118	S. F.	305	Bass Van Gilst Sue Yenger Tom Slater Dick Ramsey Arne Waldstein
S—3119	S. F.	268	Gary L. Baugher Donald V. Doyle

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Tuesday, March 3, 1981.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 3, 1981

The Senate met in regular session at 9:04 a.m., President Branstad presiding.

Prayer was offered by the Reverend Gerald Sawyer, pastor of the Ankeny Christian-Disciples of Christ Church, Ankeny, Iowa.

The Journal of Monday, March 2, 1981, was approved.

BILLS REFERRED TO COMMITTEE

President Branstad announced that **Senate Files 209 and 247** were referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

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 February 27, 1981, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, a resolution providing for the joint rules of the senate and house of representatives for the Sixty-ninth General Assembly.

PAT H. HARPER, Chief Clerk

INTRODUCTION OF BILLS

Senate File 327, by Murray, a bill for an act relating to limitations of actions on tort liability of municipalities or officers, employees, or agents of municipalities.

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

Senate File 328, by Miller of Des Moines, a bill for an act regulating the sale of funeral and cemetery goods or services, prior to death, and providing penalties to be effective January 1.

Read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that Senate File 305 be immediately messaged to the House.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:10 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President pro tempore Ramsey presiding.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 25, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Gaylon L. Halverson, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the Board of Accountancy pursuant to Section 116.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Ruth Roberts, Cedar Rapids, Linn County, Iowa, for reappointment as a member of the Board of Accountancy pursuant to Section 116.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Joseph Obr, West Des Moines, Polk County, Iowa, for reappointment as a member of the Board of Certification of Waterworks and Waste Waterworks Operators pursuant to Section 455B.53, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Vernon Spilker, Missouri Valley, Harrison County, Iowa, for reappointment as a member of the Board of Certification of Waterworks and Waste Waterworks Operators pursuant to Section 455B.53, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Margaret Apostle, Grinnell, Poweshiek County, Iowa, for reappointment as a member of the Board of Architectural Examiners pursuant to Section 118.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Richard Hansen, Iowa City, Johnson County, Iowa, for reappointment as a member of the Board of Architectural Examiners pursuant to Section 118.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Bernard J. Keninger, Spencer, Clay County, Iowa, for appointment as a member of the Board of Architectural Examiners pursuant to Section 118.1, 1981, Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Jesse Lewis, Des Moines, Polk County, Iowa, for reappointment as a member of the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Norma Peters, Waterloo, Black Hawk County, Iowa, for reappointment as a member of the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of John M. Roberts, Ames, Story County, Iowa, for reappointment as a member of the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Rose Marie Edgerton, Davenport, Scott County, Iowa, for reappointment as a member of the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Paul C. Hoeffy, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Gary Hughes, Iowa City, Johnson County, Iowa, for reappointment as a member of the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Jeanette A. Blackstone, Sioux City, Woodbury County, Iowa, for reappointment as a member of the Job Service Advisory Council pursuant to Section 96.11(5), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Donald Lewis, Council Bluffs, Pottawattamie County, Iowa, for reappointment as a member of the Job Service Advisory Council pursuant to Section 96.11(5), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Harold Erichsen, Sioux City, Woodbury County, Iowa, for reappointment as a member of the State Board of Barber Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Helen Mefferd, Laurens, Pocahontas County, Iowa, for reappointment as a member of the State Board of Cosmetology Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Clarence R. Hosford, Monticello, Jones County, Iowa, for reappointment as a member of the State Board of Dental Examiners pursuant to Section 147.14(4), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Marcia Wiedmeyer, Bettendorf, Scott County, Iowa, for reappointment as a member of the State Board of Dental Examiners pursuant to Section 147.14(4), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Francis E. Holland, Mason City, Cerro Gordo County, Iowa, for reappointment as a member of the State Board of Engineering Examiners pursuant to Section 114.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Sidney Vanderwoude, Coralville, Johnson County, Iowa, for reappointment as a member of the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending

April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

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 reappointment as a member of the State Board of Mortuary Science Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Elizabeth Kinney, Waterloo, Black Hawk County, Iowa, for reappointment as a member of the State Board of Nursing Examiners pursuant to Section 147.14(3), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Mark Zimmerman, Cedar Rapids, Linn County, Iowa, for reappointment as a member of the State Board of Nursing Examiners pursuant to Section 147.14(3), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Gloria Kirkland, Cedar Falls, Black Hawk County, Iowa, for appointment as a

member of the State Board of Optometry Examiners pursuant to Section 147.14(6), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Margo Underwood, Mason City, Cerro Gordo County, Iowa, for reappointment as a member of the State Board of Pharmacy Examiners pursuant to Section 147.14(5), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Deborah L. Green, Boone, Boone County, Iowa, for reappointment as a member of the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.14(10), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Ray Samuel, Marshalltown, Marshall County, Iowa, for reappointment as a member of the State Board of Podiatry Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Shirley A. Thompson, Keokuk, Lee County, Iowa, for reappointment as a member of the State Board of Podiatry Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Karlton Kunath, Spencer, Clay County, Iowa, for reappointment as a member of the State Board of Watchmaking Examiners pursuant to Section 120.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Sidney Wilcox, Missouri Valley, Harrison County, Iowa, for reappointment as a member of the State Board of Watchmaking Examiners pursuant to Section 120.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Phyllis Christiansen, Grinnell, Poweshiek County, Iowa, for reappointment as a member of the State Mental Health Advisory Council pursuant to Section 225B.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Helen Henderson, West Des Moines, Polk County, Iowa, for reappointment as a member of the State Mental Health Advisory Council pursuant to Section 225B.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Donald E. Perkins, Des Moines, Polk County, Iowa, for reappointment as a member of the State Mental Health Advisory Council pursuant to Section 225B.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

February 27, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Arlene Dayhoff, Cedar Rapids, Linn County, Iowa, for reappointment as a member of the Commission for the Blind pursuant to Section 601B.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Beverly Dickerson, Indianola, Warren County, Iowa, for reappointment as a member of the County Finance Committee pursuant to Section 333A.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Curtis F. Mineart, Washington, Washington County, Iowa, for reappointment as a member of the County Finance Committee pursuant to Section 333A.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Charles E. Hales, Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the State Board of Engineering Examiners pursuant to Section 114.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Herman Lewis, Edgewood, Clayton County, Iowa, for reappointment as a member of the State Board of Engineering Examiners pursuant to Section 114.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of James Hassenfritz, Mount Pleasant, Henry County, Iowa, for reappointment as a member

the State Mental Health Advisory Council pursuant to Section 225B.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Conrad A. Amend, Des Moines, Polk County, Iowa, for reappointment as a member of the Transportation Regulation Board pursuant to Section 307.15, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate Joint Resolution 10, by Committee on Agriculture, a joint resolution proposing a compact between the states of Iowa, Kansas, Missouri and Nebraska regarding the Missouri River.

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

Senate File 329, by Hultman, a bill for an act allowing a licensing board to request an audit of a continuing education program.

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

Senate File 330, by Committee on Education, a bill for an act to provide for redrawing director districts in a merged area.

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

Senate File 331, by Taylor, a bill for an act relating to the certification of a bargaining representative for public employees under the public employment relations Act.

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

Senate File 332, by Committee on State Government, a bill for an act relating to the office of appellate defender.

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

Senate File 333, by Murray, a bill for an act relating to water navigation safety, providing penalties for violations, and providing July 1 and January 1 effective dates.

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

Senate File 334, by Baugher, a bill for an act relating to use of certain factors by the board of parole in the decision to grant or deny parole.

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

Senate File 335, by Miller of Des Moines, a bill for an act to prohibit discrimination by laboratories and providing a penalty.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 268.

Senate File 268

On motion of Senator Doyle, Senate File 268, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services, was taken up for consideration.

Senator Baugher withdrew amendment S—3088 filed by him on February 23, 1981, to page 1 of the bill.

Senator Carney took the chair at 4:25 p.m.

Senator Baugher offered amendment S—3119 filed by Senators Baugher and Doyle on March 2, 1981, to pages 1 through 4 of the bill and moved its adoption.

Amendment S—3119 was adopted.

Senator Doyle offered amendment S—3111 filed by him on March 2, 1981, to page 2 of the bill and moved its adoption.

Amendment S—3111 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wells for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 268

The Senate resumed consideration of Senate File 268.

Senator Rush offered amendment S—3091 filed by him on February 24, 1981, to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3091 be adopted?" (S.F. 268) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Anderson	Bisenius	Brown	Carney
Craft	Gallagher	Hulse	Hultman
Husak	Jensen	Junkins	Kudart
Lura	Priebe	Ramsey	Rush
Small	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 27:

Baugher	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake

Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hutchins	Kinley
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Readinger	Rodgers	Schwengels
Slater	Van Gilst	Yenger	

Absent or not voting, 2:

Briles Wells

Amendment S—3091 lost.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 268) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Vande Hoef	Van Gilst	Waldstein
Yenger			

Nays, 3:

Hultman Taylor Tieden

Absent or not voting, 2:

Briles Wells

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	323	Ways and Means
S. F.	326	County Government
H.F.	47	Transportation
H.F.	349	Ways and Means

COMMUNICATION

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

DEPARTMENT OF REVENUE

A copy of the annual report for the fiscal year ending June 30, 1980, for the Iowa Department of Revenue. This year's report has been limited to a review of fiscal year 1980 tax collections and an overview of the characteristics of the taxes administered by the department. It is intended that the annual report for fiscal year 1979 will be utilized in conjunction with the 1980 report.

Additional copies are available to members of the Senate upon request.

JOINT LEGISLATIVE INTERN COMMITTEE

Pursuant to Joint Rule 17 for the Sixty-ninth General Assembly:

Senator Hultman, Majority Leader, appointed Senator James Briles to the Joint Legislative Intern Committee.

Senator Junkins, Minority Leader, appointed Senator Norman Rodgers to the Joint Legislative Intern Committee.

STUDY BILLS RECEIVED

S.S.B. 295 Transportation

Relating to ways condemned by landowners having no access to their property.

S.S.B. 296 Transportation

Relating to the possession or consumption of beer or alcoholic beverages in a motor vehicle, upon a public street or highway, and providing a penalty.

S.S.B. 297 Judiciary

Relating to assignments of instruments and accounts.

S.S.B. 298 Judiciary

Relating to the operation of motor vehicles by defining chauffeur and resident, specifying certain duties for all peace officers, making failure to use lights or proper operation of lights a scheduled violation, and removing a reference to the operation of a vehicle without an operators license or permit in the operator's immediate possession from the list of scheduled violations and subject to a penalty provided by law.

S.S.B. 299 Judiciary

Relating to the administration and enforcement of beer and liquor control laws including the addition of a prohibited activity and clarifying penalty provisions.

S.S.B. 300 Judiciary

Relating to a limitation of administration of estates.

S.S.B. 301 Judiciary

Regulating the offer and sale of business opportunities and providing penalties for violations.

S.S.B. 302 Appropriations

Relating to the sale by the department of social services of the Sanford day care center in Sioux City, Iowa.

S.S.B. 303 Appropriations

Relating to the sale by the department of social services of the Peck day care center in Newton, Iowa.

S.S.B. 304 Ways and Means

Relating to the financial affairs of certain public offices.

FURTHER
REPORTS OF COMMITTEE MEETINGS

EDUCATION*

*A previous report of this meeting was recorded on page 612 of the Senate Journal.

Final Bill Action: Senate File 330, a bill for an act to provide for redrawing director districts in a merged area.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gratiyas, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 613 of the Senate Journal.

Final Bill Action: Senate File 332, a bill for an act relating to the office of appellate defender.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gentleman, Hutchins, Palmer, Schwengels and Tieden. Nays, 2: Gallagher and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 3, 1981, 8:00 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein.

Members Absent: none.

Final Bill Action: Senate Joint Resolution 10, a joint resolution proposing a compact between the states of Iowa, Kansas, Missouri and Nebraska regarding the Missouri River.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 73, a bill for an act relating to repairs and improvements in drainage and levee districts.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned House File 218 to subcommittee; discussed Senate File 53; approved SSB 171 as a committee bill.

Adjourned: 9:00 a.m.

EDUCATION

Convened: March 2, 1981, 1:30 p.m.

Members Present: Gratiyas, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor (arrived 1:40 p.m.) and Wells.

Members Absent: none.

Other Committee Business: Gayle Obercht, Director of Administration & Finance Division, D.P.I., gave analysis of House File 414; Frank Vance, Director of Special Education, D.P.I., led discussion on "Learning Disabilities".

Adjourned: 3:00 p.m.

JUDICIARY

Convened: March 3, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member (arrived 3:15 p.m.); Carr, Coleman, Deluhery, Doyle, Lura, Murray, Ramsey, Small, Taylor, Baugher and Dreeszen (arrived 3:50 p.m.).

Members Absent: none.

Final Bill Action: House File 430, a bill for an act eliminating the requirement that spouses execute the same joint instrument to convey the homestead.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 4:00 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Fifth and sixth graders from the Four-Mile Elementary School, Runnells, Iowa, accompanied by Steve Oberto, Vivian Ladwig and Rodney Hilpipre. Senator Kinley.

AMENDMENTS FILED

S—3120	S. F.	170	C.W. Bill Hutchins
S—3121	S. F.	313	Edgar H. Holden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:43 p.m., until 9:00 a.m., Wednesday, March 4, 1981.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 4, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend Bob Tolliver, pastor of the East Ankeny Baptist Church, Ankeny, Iowa.

The Journal of Tuesday, March 3, 1981, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Comito for the day on request of Senator Hultman.

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 2, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 86, a bill for an act relating to the uses of unencumbered funds in the schoolhouse fund collected under the levy provided in section 297.5.

ALSO: That the House has on March 2, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 106, a bill for an act correcting the law relating to the appointment and confirmation of certain gubernatorial appointments.

ALSO: That the House has on March 2, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 147, a bill for an act to eliminate the requirement of publication of a synopsis of the annual report of insurance companies doing business in this state.

ALSO: That the House has on March 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 8, a bill for an act to divide judicial district five into three judicial election districts.

ALSO: That the House has on March 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 143, a bill for an act relating to the authority of school districts to levy a tax for public educational and recreational purposes.

ALSO: That the House has on March 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 304, a bill for an act including energy conservation and solar access as objectives of city and county zoning regulations.

ALSO: That the House has on March 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 348, a bill for an act relating to the licensing of real estate salespersons, associate brokers and brokers.

ALSO: That the House has on March 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 386, a bill for an act to provide for the implementation of agreements to arbitrate disputes, to provide minimum standards for arbitration procedures and rules for review of arbitration awards, and to subject violators to penalties.

ALSO: That the House has on March 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 438, a bill for an act relating to laws which restrict the receipt of gifts by employees of the department of banking.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 8, a bill for an act to divide judicial district five into three judicial election districts.

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

House File 143, a bill for an act relating to the authority of school districts to levy a tax for public educational and recreational purposes.

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

House File 304, a bill for an act including energy conservation and solar access as objectives of city and county zoning regulations.

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

House File 348, a bill for an act relating to the licensing of real estate salespersons, associate brokers and brokers.

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

House File 386, a bill for an act to provide for the implementation of agreements to arbitrate disputes, to provide minimum standards for arbitration procedures and rules for review of arbitration awards, and to subject violators to penalties.

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

House File 438, a bill for an act relating to laws which restrict the receipt of gifts by employees of the department of banking.

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

HOUSE AMENDMENT TO SENATE FILE 106

S—3122

- 1 Amend Senate File 106, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, line 9, by striking the word "Evening"
- 4 and inserting in lieu thereof the words "Fort Madison
- 5 Daily".

INTRODUCTION OF BILLS

Senate File 336, by Holden, a bill for an act relating to the apportionment of tax revenue by the county treasurer.

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

Senate File 337, by Committee on Judiciary, a bill for an act exempting certain security information of adult correctional institutions from public disclosure.

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

Senate File 338, by Slater, a bill for an act relating to tuition rates set by the state board of regents.

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

Senate File 339, by Carr, a bill for an act relating to the off-premises sale of alcoholic liquor by class "B" and "C" liquor control licensees.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:17 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:06 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hultman asked and received unanimous consent to take up out of order House File 398.

House File 398

On motion of Senator Jensen, House File 398, a bill for an act relating to the funding of the operations of the utilities division of the Iowa state commerce commission, and providing for semianual remainder assessments against public utilities, and for a supplemental appropriation of two hundred thousand dollars to the commerce commission for the fiscal year commencing July 1, 1980, and ending June 30, 1981, for operational purposes, to be effective upon publication, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 398) the vote was:

Ayes, 38:

Anderson	Baughner	Bisenius	Briles
Brown	Craft	DeKoster	Deluhery
Drake	Dreeszen	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Readinger
Rush	Schwengels	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Voting present, 1:

Carney

Absent or not voting, 11:

Carr	Coleman	Comito	Doyle
Gallagher	Gentleman	Lura	Priebe
Ramsey	Rodgers	Small	

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

Senator Hultman asked and received unanimous consent to take up out of order House File 232.

House File 232

On motion of Senator Waldstein, House File 232, a bill for an act relating to the funding of specified programs of the department of social services during the fiscal year beginning July 1, 1980, and ending June 30, 1981, and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Junkins offered amendment S—3100 filed by Senators Junkins, Palmer and Rush on February 26, 1981, to pages 1 and 2 of the bill.

Action on House File 232 and amendment S—3100 was temporarily deferred.

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

The Senate resumed session, President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

BUSINESS PENDING

House File 232

The Senate resumed consideration of House File 232 and amendment S—3100, offered and pending.

Senator Junkins moved the adoption of amendment S—3100 and requested a record roll call.

On the question "Shall amendment S—3100 be adopted?" (H.F. 232) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Anderson	Brown	Coleman	Deluhery
Doyle	Gallagher	Husak	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Rush
Slater	Small	Van Gilst	Wells

Nays, 29:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Absent or not voting, 1:

Carr

Amendment S—3100 lost.

Senator Slater offered amendment S—3126 filed by Senators Slater, et al., from the floor to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3126 be adopted?" (H.F. 232) the vote was:

Ayes, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 29:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Amendment S—3126 lost.

Senator Slater offered amendment S—3125 filed by Senators Slater and Hutchins from the floor to page 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3125 be adopted?" (H.F. 232) the vote was:

Ayes, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 29:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Amendment S—3125 lost.

Senator Slater asked and received unanimous consent to withdraw amendment S—3129 filed by Senators Slater and Anderson from the floor to page 1 of the bill.

Senator Slater offered amendment S—3128 filed by Senators Slater and Anderson from the floor to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3128 be adopted?" (H.F. 232) the vote was:

Ayes, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 28:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Murray	Nystrom
Ramsey	Readinger	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	Yenger

Absent or not voting, 1:

Gratias

Amendment S—3128 lost.

Senator Waldstein moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 232) the vote was:

Ayes, 29:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Nays, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 275.

Senate File 275

On motion of Senator Doyle, Senate File 275, a bill for an act requiring the sentencing judge and the prosecuting attorney to provide the board of parole with certain information, was taken up for consideration.

Senator Rush asked and received unanimous consent that action on **Senate File 275** be **deferred**.

Senate File 276

On motion of Senator Rush, Senate File 276, a bill for an act relating to the number of members to be appointed and elected to the state judicial nominating commission and providing a January 1 effective date, was taken up for consideration.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 276) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

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

WITHDRAWN

Senator Rush asked and received unanimous consent that **Senate File 126** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 277

On motion of Senator Doyle, Senate File 277, a bill for an act to authorize the director of the division of adult corrections of the department of social services to implement an inmate employment program, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 277) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

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 Yenger, Senate File 283, a bill for an act relating to mileage expense for witnesses and jurors, was taken up for consideration.

Senator Yenger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 283) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins

Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 2:

Coleman Rodgers

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

Senator Hultman asked and received unanimous consent to take up out of order Senate File 258.

Senate File 258

On motion of Senator Jensen, Senate File 258, a bill for an act to provide that implements of husbandry shall be subject to maximum axle and gross vehicle weight limitations, was taken up for consideration.

Senator Drake offered amendment S—3086 filed by Senators Drake and Jensen on February 23, 1981, to page 1 of the bill.

Senator Taylor asked and received unanimous consent that action on amendment S—3086 and **Senate File 258** be **deferred**.

Senate File 197

On motion of Senator Miller of Des Moines, Senate File 197, a bill for an act relating to liquor and beer control on Sunday, amending a prerequisite for Sunday sales of beer and liquor, and extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 197) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Anderson	Baughner	Bisenius	Carney
Carr	Coleman	Deluhery	Doyle
Gallagher	Gentleman	Hutchins	Kinley
Kudart	Lura	Miller, C.P.	Murray
Palmer	Priebe	Readinger	Rodgers
Rush	Slater	Tieden	Wells
Yenger			

Nays, 25:

Briles	Brown	Comito	Craft
DeKoster	Drake	Dreeszen	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Jensen	Junkins
Miller, A.V.	Nystrom	Ramsey	Schwengels
Small	Taylor	Vande Hoef	Van Gilst
Waldstein			

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 289.

Senate File 289

On motion of Senator Tieden, Senate File 289, a bill for an act relating to trespass on private property and imposing a penalty, was taken up for consideration.

Senator Baughner offered amendment S—3108 filed by him on March 2, 1981, to page 1 of the bill.

Senator Hutchins called for a division of amendment S—3108: line 2 to be considered as division S—3108A; line 3 to be considered as division S—3108B.

Senator Baughner moved the adoption of division S—3108A.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 28.

Division S—3108A lost.

Senator Priebe asked unanimous consent that action on division S—3108B and Senate File 289 be deferred.

Senator Priebe withdrew his request.

Senator Junkins asked and received unanimous consent that action on division S—3108B and **Senate File 289** be **deferred**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	327	Cities
S. F.	328	Commerce
S. F.	329	State Government
S. F.	331	Labor and Industrial Relations
S. F.	333	Natural Resources
S. F.	334	State Government

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 annual report on transportation programs prepared by the Iowa Department of Transportation Public Transit Division, pursuant to Section 601J. 4, Code 1981.

Copies are available to members of the Senate upon request.

STUDY BILLS RECEIVED

S.S.B. 313 County Government

Prohibiting the sale of property by a sheriff or deputy sheriff on behalf of a prisoner.

S.S.B. 314 Transportation

Providing for compensation to owners of advertising devices and lessors of property upon which advertising devices are located when the advertising device is removed or taken by the state or a political subdivision of the state.

S.S.B. 315 Human Resources

Relating to reports of reportable disease.

S.S.B. 316 Human Resources

Relating to the amount of fee collected for services performed,

and certificates and copies of records issued within the department of health.

S.S.B. 317 Appropriations

Relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibility relate to agricultural affairs, economic development, and energy and natural resources management.

INTRODUCTION OF BILLS

Senate File 340, by Jensen, a bill for an act relating to the maximum liability allowed by the Iowa Tort Claims Act and the chapter providing for tort liability of governmental subdivisions.

Read first time under **Rule 28** and **passed on file**.

Senate File 341, by Holden, a bill for an act relating to the registration fees for motor trucks with a combined gross weight of four tons or less and providing a December 1 effective date.

Read first time under **Rule 28** and **passed on file**.

Senate File 342, by Miller of Cerro Gordo, a bill for an act relating to the applicable unemployment compensation contribution rate table for 1982 and subsequent calendar years.

Read first time under **Rule 28** and **passed on file**.

Senate File 343, by Miller of Cerro Gordo, a bill for an act relating to the unemployment compensation contribution rate for employers with negative balances in their accounts.

Read first time under **Rule 28** and **passed on file**.

Senate File 344, by Miller of Cerro Gordo, a bill for an act relating to the movement of boat hoists on the highways of the state.

Read first time under **Rule 28** and **passed on file**.

Senate File 345, by Slater, a bill for an act to transfer from the counties to the state the responsibility for furnishing office space and providing necessary office equipment and supplies for employees of the department of social services assigned to local offices of the department.

Read first time under **Rule 28** and **passed on file**.

Senate File 346, by Slater, a bill for an act relating to catastrophic health expense protection.

Read first time under **Rule 28** and **passed on file**.

FURTHER
REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on pages 636-637 of the Senate Journal.

Final Bill Action: Senate File 337, a bill for an act exempting certain security information of adult correctional institutions from public disclosure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: DeKoster, Kudart, Carr, Coleman, Deluhery, Doyle, Lura, Murray, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 3: Rush, Dreeszen and Baugher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 3, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Overview of the Mental Health Resources Division; discussed budgets of Cherokee Mental Health Institute, Clarinda Mental Health Institute and Hope Hall.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 3, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Subcommittee discussion of 1982-83 budgets for the Commission for the Blind, IPBN and College Aid.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 4, 1981, 10:05 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Board of Regents capitals presentation by: Dr. Percy Harris, Board member; Mary Louise Peterson, Board President and presidents of three Regents universities.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 3, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Kudart and A. Miller.

Members Absent: Readinger.

Other Committee Business: Presentation from the Iowa State Department of Health.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 4, 1981, 10:05 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; A. Miller, Kudart and Readinger (arrived 11:12 a.m.).

Members Absent: none.

Other Committee Business: Presentation from the Iowa State Department of Health on the Renal Disease Program.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 3, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Appearance by the Iowa Department of Agriculture and the Iowa Development Commission regarding budget proposals.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 3, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Hulse and C. Miller.

Members Absent: Gratias.

Other Committee Business: Made recommendations and decisions for the Auditor of State; Commerce Commission—General Administration, Warehouse Division and Utilities; Job Service— IPERS Fund; and Treasurer of State—Moneys and Credits Fund.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 4, 1981, 10:10 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Discussed and made decisions on Board of Architectural Examiners; State Comptroller's general office; Data Processing; County Assistance Fund and Municipal Fund and Secretary of State.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 3, 1981, 9:32 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown (arrived 9:34 a.m.), Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Larry Jackson, Field Operations, DSS, gave presentation on Division of Field Operations; Barbara Jackson, Planning Services (Title XX), gave wrap-up on Title XX; Patrick Cavanaugh, Administrative Services, gave overview on General Services; subcommittee approved and submitted SSB 302 and SSB 303 relating to sale by Department of Social Services of the Sanford Day Care Center at Sioux City and the Peck Day Care Center at Newton to the full Appropriations committee.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 3, 1981, 9:30 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Lura and Wells.

Members Absent: Taylor.

Other Committee Business: Budget presentations by the Rules Coordinator, Legislative Service Bureau and Legislative Fiscal Bureau.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 4, 1981, 10:10 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member (arrived 11:00 a.m.); Taylor (arrived 10:20 a.m.), Lura and Wells.

Members Absent: none.

Other Committee Business: Discussed appropriation recommendations.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 3, 1981, 9:35 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Discussed and made recommendations regarding Disaster Services and National Guard.

Adjourned: 11:30 a.m.

COMMERCE

Convened: March 4, 1981, 8:00 a.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Craft, DeKoster (arrived 8:30 a.m.), Husak, Jensen, Priebe and Rush.

Members Absent: Comito (excused).

Other Committee Business: Assigned bills to subcommittees; discussed SSB 57.

Adjourned: 9:00 a.m.

COUNTY GOVERNMENT

Convened: March 3, 1981, 3:00 p.m.

Members Present: Briles, Chairperson; Wells, Ranking Member; Brown, Vande Hoef and Yenger.

Members Absent: Waldstein, Vice Chairperson.

Final Bill Action: House Concurrent Resolution 9, a resolution relating to the transfer of various highways and streets among the three governmental jurisdictions.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Briles, Wells, Brown, Vande Hoef and Yenger. Nays, none. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; discussed Senate File 266.

Adjourned: 3:35 p.m.

JUDICIARY

Convened: March 3, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member (arrived 3:15 p.m.); Carr, Coleman, Deluhery, Doyle, Lura, Murray, Ramsey, Small, Taylor, Baugher and Dreeszen (arrived 3:50 p.m.).

Members Absent: none.

Final Bill Action: Senate File 235, a bill for an act to prohibit the possession and operation of a radar jamming device and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3130.

Final Vote: Ayes, 11: DeKoster, Kudart, Rush, Baugher, Carr, Deluhery, Lura, Murray, Ramsey, Small and Taylor. Nays, 2: Coleman and Doyle. Absent or not voting, 1: Dreeszen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 4:00 p.m.

NATURAL RESOURCES

Convened: March 4, 1981, 8:00 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden, Gallagher, Hutchins and Rodgers.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; approved SSB 227 as a committee bill.

Adjourned: 9:00 a.m.

TRANSPORTATION

Convened: March 3, 1981, 1:35 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Doyle, Hutchins and A. Miller.

Members Absent: Bisenius, Comito, Murray and Nystrom.

Other Committee Business: SSB 295 failed recommendation for passage; discussed SSB 253.

Adjourned: 1:50 p.m.

PRESENTATION OF VISITORS

President Branstad welcomed the Honorable Roger J. Shaff, former member of the Senate from Clinton County, who was present in the Senate chamber.

Senator Brown presented the following foreign exchange students who were present in the Senate chamber as his guests:

Veronique Vander Perre, Belgium; Silvia Ruckstuhl, Switzerland and Roberto Paulino, Dominican Republic. Veronique and Roberto are students at the Pella Community Schools and Silvia attends the BGM Community School in Brooklyn.

The following visitors were present in the Senate gallery:

Eight students from the Ecology Club, Burlington Community High School, Burlington, Iowa, accompanied by Sherman Lundy. Senator Miller of Des Moines.

AMENDMENTS FILED

S—3123	S. J. R.	10	Jack W. Hester
S—3124	S. F.	295	Richard F. Drake
S—3125	H.F.	232	Tom Slater C.W. Bill Hutchins
S—3126	H.F.	232	Tom Slater Bass Van Gilst C.W. Bill Hutchins Ted Anderson
S—3127	S. F.	295	Edgar H. Holden
S—3128	H.F.	232	Tom Slater Ted Anderson
S—3129	H.F.	232	Tom Slater Ted Anderson
S—3130	S. F.	235	Judiciary Committee
S—3131	S. F.	300	Berl E. Priebe Edgar H. Holden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:12 p.m., until 9:00 a.m., Thursday, March 5, 1981.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 5, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by Dr. John Woods, pastor of the Westminister Presbyterian Church, Cedar Rapids, Iowa.

The Journal of Wednesday, March 4, 1981, was approved.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 27, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Roger Eglund, Storm Lake, Buena Vista County, Iowa, for appointment as a member of the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.14(10), 1981 Code of Iowa, for a unexpired portion of a term ending April 30, 1981, and a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

Communication was read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate Joint Resolution 11, by Rush, a joint resolution proposing an amendment to the Constitution of the state of Iowa relating to the power of the people to propose and enact or reject statutes.

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

Senate File 347, by Kinley, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing 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 the acts.

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

Senate File 348, by Husak, a bill for an act relating to the promulgation of administrative rules.

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

Senate File 349, by Craft, a bill for an act providing that a testamentary trustee may be designated as the beneficiary of proceeds from life insurance.

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

Senate File 350, by Gallagher, a bill for an act relating to the issuance of a permit to straighten a stream.

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

Senate File 351, by Murray, a bill for an act relating to a custodial or noncustodial parent's right of access to a child's school and medical records.

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

Senate File 352, by Yenger, a bill for an act relating to determining whether a guilty plea is made voluntarily, intelligently, and has a factual basis.

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

Senate File 353, by Baugher, Bisenius, Jensen, Taylor, Tieden, Lura and Nystrom, a bill for an act repealing the statutes relating to the sale of gas lamps and certain appliances equipped with a pilot light.

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

Senate File 354, by Yenger, Lura, Small, Readinger and Carney, a bill for an act relating to city civil service with a January 1 effective date.

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

Senate File 355, by Holden, Small, Drake, Coleman, Gratias and Rodgers, a bill for an act requiring the Iowa housing finance authority to expend at least fifty percent of proceeds from bond sales for the construction of new housing.

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

Senate File 356, by Carr, a bill for an act providing for the reduction of the amount of an unsecured appearance bond when a violation charged involves an accident or injury for which there is less than one hundred dollars total damage.

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

Senate File 357, by Committee on County Government, a bill for an act relating to the qualifications, status, and appointment of county attorney investigators.

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

Senate File 358, by Committee on Commerce, a bill for an act relating to exemptions from the Iowa uniform securities Act for cooperative associations, cooperative housing corporations, and mutual or cooperative organizations.

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

Senate File 359, by Doyle, a bill for an act providing for variation in sentences due to aggravating or mitigating circumstances.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:16 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 25, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Larry D. Baker, Waterloo, Black Hawk County, Iowa, for reappointment as a member of the Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

February 27, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Charles E. Storey, Des Moines, Polk County, Iowa, for appointment as a member of the Commission on Judicial Qualifications pursuant to Section 605.26, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Christine Hansen, Des Moines, Polk County, Iowa, for reappointment as a member of the Iowa Commerce Commission pursuant to Section 474.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Edwin Augustine, Washington, Washington County, Iowa, for appointment as a member of the Iowa Natural Resources Council pursuant to Section 455A.4, 1981 Code of Iowa, for an unexpired portion of a term ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of E. Eileen Heiden, Denison, Crawford County, Iowa, for reappointment as a member of the Iowa Natural Resources Council pursuant to Section 455A.4, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of John P. Whitesell, Iowa Falls, Hardin County, Iowa, for reappointment as a member of the Iowa Natural Resources Council, pursuant to Section 455A.4, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Gracie Ruden, LeMars, Plymouth County, Iowa, for reappointment as a member of the Iowa

Real Estate Commission pursuant to Section 117.8, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Allen J. Meier, Cedar Rapids, Linn County, Iowa, for reappointment as Labor Commissioner pursuant to Section 91.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Russell Hyde, Denison, Crawford County, Iowa, for reappointment as a member of the Professional and Occupational Regulation Commission pursuant to Section 2B.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Sheila Sidles, Centerville, Appanoose County, Iowa, for reappointment as a member of the Professional and Occupational Regulation Commission pursuant to Section 2B.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Eva M. Yost, Fort Dodge, Webster County, Iowa, for appointment as a member of the State Board of Barber Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Lloyd L. Cutler, D.C., Marshalltown, Marshall County, Iowa, for reappointment as a member of the State Board of Chiropractic Examiners pursuant to Section 147.14(8), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Martha Leibhart, Ottumwa, Wapello County, Iowa, for reappointment as a member of the State Board of Chiropractic Examiners pursuant to Section 147.14(8), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

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 reappointment as a member of the State Board of Chiropractic Examiners pursuant to Section 147.14(8), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Ruth M. Turnis, Dubuque, Dubuque County, Iowa, for reappointment as a member of the State Board of Nursing Examiners pursuant to Section 147.14(3), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Judy A. Smith, Ames, Story County, Iowa, for appointment as a member of the State Board of Speech Pathology and Audiology Examiners pursuant to Section 147.14(9), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Robert E. Bellinger, Fort Dodge, Webster County, Iowa, for reappointment as a member of the State Board of Pharmacy Examiners pursuant to Section 147.14(5), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Kathryn Gerken, Iowa City, Johnson County, Iowa, for reappointment as a member of the State Board of Psychology Examiners pursuant to Section 147.14(7), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
 Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Jim Meyer, Odebolt, Sac County, Iowa, for reappointment as a member of the State Board of Veterinary Medicine Examiners pursuant to Section 169.5, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
 Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Sally B. Prickett, Norwalk, Warren County, Iowa, for reappointment as a member of the Board of Veterinary Medicine Examiners pursuant to Section 169.5, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
 Governor

Communications were read and referred to the committee on
Rules and Administration.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 12

By: Husak, Briles, Schwengels, Coleman, Hutchins,
 Hultman, Junkins, Miller of Cerro Gordo, Rodgers, Wells,
 Miller of Des Moines, Jensen, Slater, Carr, Drake, Gallagher,
 Priebe, Readinger, Tieden, Dreeszen, Brown, Van Gilst, Craft,
 Kudart, Yenger, Hester, Waldstein, Baugher, Taylor, Vande Hoef,
 Hulse, Goodwin, Bisenius, Doyle, Anderson, Holden, Lura, Rush,
 Kinley, Nystrom, Ramsey, Carney, Gratias, Palmer, Comito,
 Murray and Gentleman

- 1 *Whereas*, the state of Iowa is proud of the veterans of
- 2 the nation's wars; and
- 3 *Whereas*, the Vietnam Conflict is the longest, most unpopular

4 and controversial war involving the United States; and
5 *Whereas*, over eight million American men and women served
6 this nation during that time, and of that number over 115,000
7 that served were from Iowa; and
8 *Whereas*, over 57,000 Americans gave their lives during
9 the Vietnam Conflict, and of that number over 800 from Iowa
10 lost their lives in defense of freedom; and
11 *Whereas*, 2,512 Americans remain unaccounted for from the
12 Vietnam Conflict and 42 of those Americans are from Iowa;
13 *Now, Therefore*,
14 *Be It Resolved by the Senate, the House Concurring*, That
15 an official symbol be established in memory of those Americans
16 who are missing and unaccounted for; and
17 *Be It Further Resolved*, that the symbol established shall
18 be a "Purple Ribbon" and that the Purple Ribbon be displayed
19 in all public buildings and other appropriate locations in
20 recognition of the missing Americans; and
21 *Be It Further Resolved*, that the General Assembly call
22 upon each Iowan to join together on the 16th day of March,
23 1981, and remember and show gratitude to those who represented
24 the United States in Vietnam and let them know that their
25 services and sacrifices are appreciated.

Read first time and referred to the committee on Rules and Administration.

INTRODUCTION OF BILLS

Senate File 360, by Ramsey, a bill for an act authorizing the imposition of a filing fee for a county law library.

Read first time and passed on file.

Senate File 361, by Hutchins and Husak, a bill for an act providing for the exclusion of interest received on loans or contracts of sale made to beginning farmers from the state income and franchise taxes and providing a January 1 effective date.

Read first time and passed on file.

Senate File 362, by Committee on Ways and Means, a bill for an act relating to the state sales, services and use tax by allowing retailers to provide their own tax exemption certificate, by requiring payments of use taxes to be applied first to accrued penalty and interest and by making corrective changes.

Read first time and placed on calendar.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 106

Senator Hultman called up for consideration Senate File 106, a bill for an act correcting the law relating to the appointment and confirmation of certain gubernatorial appointments, amended by the House, and moved that the Senate concur in House amendment S—3122 filed March 4, 1981, and found on page 640 of the Senate Journal.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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 by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 106) the vote was:

Ayes, 47:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

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

UNFINISHED BUSINESS
(Deferred February 23, 1981)

Senate File 263

The Senate resumed consideration of Senate File 263, a bill for an act authorizing the department of revenue to credit income and franchise tax refunds against the tax liability of the taxpayer, deferred on February 23, 1981.

Senator Small withdrew amendment S—3089 filed by him on February 23, 1981, to page 1 of the bill.

Senator Hester offered amendment S—3112 filed by him on March 2, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3112 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 263) the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Jensen

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

UNFINISHED BUSINESS
(Deferred March 4, 1981)

Senate File 275

The Senate resumed consideration of Senate File 275, a bill for an act requiring the sentencing judge and the prosecuting attorney to provide the board of parole with certain information, deferred on March 4, 1981.

Senator Rush offered amendment S—3133 filed by Senators Rush, DeKoster and Doyle from the floor, to page 1 of the bill and moved its adoption.

Amendment S—3133 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 275) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

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

WITHDRAWN

Senator Craft asked and received unanimous consent that Senate File 264 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 292.

Senate File 292

On motion of Senator Vande Hoef, Senate File 292, a bill for an act relating to the deposit of public funds by officers of political subdivisions of the state, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 292) the vote was:

Ayes, 48:

Anderson	Baugher	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

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

Senate File 293

On motion of Senator Priebe, Senate File 293, a bill for an act relating to the reporting of fruit-tree and forest reservations to the state conservation commission, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 293) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Craft Schwengels

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

Senate File 294

On motion of Senator Gentleman, Senate File 294, a bill for an act relating to taxidermy and subjecting violators to a penalty, was taken up for consideration.

Senator Lura asked and received unanimous consent that action on **Senate File 294** be deferred.

Senator Hultman asked and received unanimous consent to take up out of order **Senate File 299**.

Senate File 299

On motion of Senator Holden, Senate File 299, a bill for an act relating to the duties of the statutory committee with respect to establishing the interest rates on public deposits and obligations, was taken up for consideration.

Senator Holden offered amendment S—3134 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3134 was adopted.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 299) the vote was:

Ayes, 49:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Tieden

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

Senator Hultman asked and received unanimous consent to take up out of order Senate File 306.

Senate File 306

On motion of Senator Baugher, Senate File 306, a bill for an act relating to review by the board of parole of certain offenders, was taken up for consideration.

Senator Baugher moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 306) the vote was:

Ayes, 47:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Husak	Hutchins
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

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

Senate File 307

On motion of Senator Coleman, Senate File 307, a bill for an act to permit a separate writing to identify bequests of certain tangible personal property in wills, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 307) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Readinger	Rush
Schwengels	Slater	Small	Taylor
Tieden	Van Gilst	Waldstein	Wells
Yenger			

Nays, 4:

Hulse	Priebe	Ramsey	Vande Hoef
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Absent or not voting, 1:

Rodgers

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

APPENDIX**STUDY BILLS RECEIVED****(March 3, 1981)****S.S.B. 305 Ways and Means**

Increasing the cigarette tax and decreasing the amount of discount allowance to permit holders who purchase stamps and providing an inventory tax.

S.S.B. 306 Ways and Means

Limiting the amount of certain standing appropriations for designated fiscal years.

S.S.B. 307 Ways and Means

Abolishing the Iowa crime commission and creating a criminal justice improvement division within the office for planning and programming to assume the duties.

S.S.B. 308 Ways and Means

Creating a criminal justice improvement fund, imposing ten percent additional penalty assessment surcharges on fines and forfeitures, ninety percent of which are credited to the fund, and making appropriation from the fund.

S.S.B. 309 Ways and Means

Relating to the taxation of intrastate and interstate communication services.

S.S.B. 310 Judiciary

Establishing a commission on adoption and authorizing the commission to provide access on behalf of adult adoptees to certain adoption records.

S.S.B. 311 Ways and Means

Establishing the rate of interest payable on certain delinquent taxes owed to the state.

S.S.B. 312 Commerce

Automatic termination of petroleum franchise agreements upon the death of the franchisee.

**STUDY BILLS RECEIVED
(March 5, 1981)****S.S.B. 318 County Government**

Authorizing the board of supervisors to adopt and enforce uniform personnel policies and compensation plans for county employees.

S.S.B. 319 Commerce

Relating to the procedures for discontinuing the operation of a city utility.

S.S.B. 320 Judiciary

Amend Section 803.2, Place of Trial.

S.S.B. 321 Judiciary

Legalizing act for Fort Dodge Community School District, contract for repairs to real property.

S.S.B. 322 State Government

To delete restrictions on outside earnings of disability retirees of certain public retirement systems.

REPORT OF INVESTIGATING COMMITTEE

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Kathryn E. Gammack, Des Moines, Polk County, Iowa, for reappointment as a member of the State Board of Medical Examiners under the provisions of Section 147.14(2), 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1984, begs leave to report is has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson**

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 197 failed to pass the Senate on March 3, 1981.

FORREST V. SCHWENGELS

FURTHER
REPORTS OF COMMITTEE MEETINGS

COMMERCE*

*A previous report of this meeting was recorded on page 595 of the Senate Journal.

Final Bill Action: Senate File 358, a bill for an act relating to exemptions from the Iowa uniform securities Act for cooperative associations, cooperative housing corporations, and mutual or cooperative organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Holden, Baugher, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 658 of the Senate Journal.

Final Bill Action: Senate File 357, a bill for an act relating to the qualifications, status, and appointment of county attorney investigators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND
MENTAL HEALTH

Convened: March 4, 1981, 10:05 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: Doyle.

Other Committee Business: Chuck Palmer gave an overview of DSS budget; Harold Templeman gave an overview of State Hospitals budget; subcommittee voted to tentatively approve Governor's Budget recommendation for FY '82 and '83 for State Hospital Schools.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 4, 1981, 10:05 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Discussed and amended SSB 317, the proposed appropriations bill for the Appropriations Subcommittee on Natural Resources.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 4, 1981, 10:00 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson (arrived 10:15 a.m.), Drake and Holden.

Members Absent: none.

Other Committee Business: Made recommendations for the Iowa National Guard and Department of Public Safety.

Adjourned: 11:30 a.m.

EDUCATION

Convened: March 5, 1981, 3:02 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Final Bill Action: House File 414, a bill for an act relating to the funds available to school districts, including authorizing the levy of a tax for cash reserve, and the imposition of an income surtax retroactive to January 1, 1981, and including the computation of state school foundation aid, and providing that the Act takes effect upon its publication.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Gratias, Carney, DeKoster, Dreeszen, Jensen and Taylor. Nays, 4: Brown, Anderson, Small and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned Senate File 317 to subcommittee.

Adjourned: 3:58 p.m.

HUMAN RESOURCES

Convened: March 5, 1981, 1:40 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman (arrived 1:43 p.m.), Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef.

Members Absent: none.

Final Bill Action: Senate File 220, a bill for an act prohibiting the revoking of an anatomical gift by a person other than the donor.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gentleman, Yenger, C. Miller, Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved SSB 193 without recommendation; approved SSB 270 as a committee bill.

Adjourned: 2:17 p.m.

WAYS AND MEANS

Convened: March 5, 1981, 1:32 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Husak, Junkins, Lura, Palmer, Rush, Taylor and Van Gilst.

Members Absent: Hultman, Holden, Priebe and Ramsey.

Final Bill Action: Senate File 362, a bill for an act relating to the state sales, services and use tax by allowing retailers to provide their own tax exemption certificate, by requiring payments of use taxes to be applied first to accrued penalty and interest and by making corrective changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Craft, Readinger, Rodgers, Hester, Husak, Junkins, Lura, Palmer, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 4: Hultman, Holden, Priebe and Ramsey.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:55 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	335	Commerce
S. F.	336	County Government
S. F.	338	Education
S. F.	339	State Government
S. F.	340	Judiciary
S. F.	341	Transportation
S. F.	342	Labor and Industrial Relations
S. F.	343	Labor and Industrial Relations
S. F.	344	Transportation
S. F.	345	State Government
S. F.	346	Human Resources
S. F.	347	Ways and Means
H.F.	8	Judiciary
H.F.	143	Education
H.F.	304	Energy
H.F.	386	Judiciary
H.F.	438	Commerce

AMENDMENTS FILED

S—3132	S. F.	199	Dick Ramsey
S—3133	S. F.	275	Bob Rush

			Lucas J. DeKoster
			Donald V. Doyle
S—3134	S. F.	299	Edgar H. Holden
S—3135	S. F.	324	C.W. Bill Hutchins
S—3136	S. F.	180	Edgar H. Holden
S—3137	S. F.	321	Richard F. Drake
S—3138	S. F.	321	Richard F. Drake
S—3139	S. F.	324	C.W. Bill Hutchins
S—3140	S. F.	324	C.W. Bill Hutchins

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:10 p.m., until 9:00 a.m., Friday, March 6, 1981.

JOURNAL OF THE SENATE

FIFTY-FOURTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 6, 1981

The Senate met in regular session at 9:04 a.m., President Branstad presiding.

Prayer was offered by the Reverend Herbert Gould, pastor of the Union Park United Methodist Church, Des Moines, Iowa.

The Journal of Thursday, March 5, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murray for the day and Senator Yenger for the morning session on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 363, by Gentleman, a bill for an act creating a lien on personal property in the possession of a person who provides storage for airplanes to secure the payment of charges and expenses for services rendered.

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

Senate File 364, by Gentleman, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter, to be effective upon publication.

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

Senate File 365, by Slater and Carr, a bill for an act providing that new or changed rates, charges, schedules, or regulations for utility service shall not be placed into effect until approved by the commerce commission, to be effective January 1.

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

Senate File 366, by Coleman, a bill for an act relating to an increase in the premium charged for a policy of insurance other than life insurance.

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

Senate File 367, by Ramsey, Lura, Miller of Des Moines, Jensen, Nystrom, Junkins, Carr, Schwengels, Rush, Rodgers, Baugher and Bisenius, a bill for an act relating to money received by criminals as a result of the commission of crime.

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

Senate File 368, by Ramsey, a bill for an act relating to resubmission of bond issues by school districts.

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

Senate File 369, by Priebe, a bill for an act relating to programs and financing of services provided by area education agencies, and providing that the Act takes effect upon its publication.

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

Senate File 370, by Committee on Human Resources, a bill for an act reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services.

Read first time and referred to the committee on **State Government** under Senate Rule 37.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 324.

Senate File 324

On motion of Senator Comito, Senate File 324, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty, was taken up for consideration.

Senator Hutchins offered amendment S—3135 filed by him on March 5, 1981, to pages 1 and 2 of the bill.

Senator Comito called for a division of the amendment as follows:

Division S—3135A: lines 2, 3, 7 and 8.

Division S—3135B: lines 4 through 6.

Division S—3135C: line 9.

Division S—3135D: lines 10 through 12.

Division S—3135E: lines 13 and 14.

Division S—3135F: lines 15 and 16.

Senator Hultman asked and received unanimous consent that action on division S—3135A and **Senate File 324** be deferred for preparation of a fiscal note.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 300.

Senate File 300

On motion of Senator Holden, Senate File 300, a bill for an act relating to the powers of banks with respect to the compensation of directors, permissible accounts and related charges, places of doing business, permissible investments, loan charges, contracts for data processing services, and cash reserve requirements, was taken up for consideration.

Senator Priebe offered amendment S—3131 filed by Senators Priebe and Holden on March 4, 1981, to page 2 of the bill and moved its adoption.

Amendment S—3131 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that action on **Senate File 300** be deferred.

BUSINESS PENDING

Senate File 324

The Senate resumed consideration of Senate File 324 and division S—3135A by Senator Hutchins, previously deferred.

Senator Hutchins moved the adoption of division S—3135A and requested a non record roll call.

The ayes were 15, nays 26.

Division S—3135A lost.

Senator Hutchins moved the adoption of division S—3135B.

A non record roll call was requested.

The ayes were 23, nays 20.

Division S—3135B was adopted.

Senator Hutchins moved the adoption of division S—3135C.

Division S—3135C was adopted by a voice vote.

Senator Hutchins moved the adoption of division S—3135D.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 23, nays 20.

Division S—3135D was adopted.

With the adoption of divisions S—3135B and S—3135D, the Chair ruled amendment S—3142 filed by Senator Comito from the floor to page 1 of the bill, out of order.

Senator Holden moved the adoption of division S—3135E.

A non record roll call was requested.

The ayes were 21, nays 23.

Division S—3135E lost.

Senator Hutchins moved the adoption of division S—3135F.

Division S—3135F was adopted by a voice vote.

Senator Holden offered amendment S—3117 filed by Senators Holden, Husak and DeKoster on March 2, 1981, to page 1 of the bill.

Senator Hutchins offered amendment S—3139 filed by him on March 5, 1981, to amendment S—3117 and moved its adoption.

Amendment S—3139 was adopted by a voice vote.

Senator Holden moved the adoption of amendment S—3117 as amended.

Amendment S—3117 as amended was adopted by a voice vote.

Senator Comito offered amendment S—3145 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3145 was adopted by a voice vote.

Senator Hutchins offered amendment S—3140 filed by him on March 5, 1981, to pages 1 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 31.

Amendment S—3140 lost.

Action on **Senate File 324** was temporarily **deferred** for preparation of a fiscal note.

UNFINISHED BUSINESS (Pending February 25, 1981)

Senate File 180

The Senate resumed consideration of Senate File 180, a bill for an act to void an administrative rule of the Iowa state board of engineering examiners which requires a plat be drawn for every property survey, pending on February 25, 1981.

Senator Holden offered amendment S—3136 filed by him on March 5, 1981, to page 1 of the bill.

Senator Schwengels offered amendment S—3147 filed by him from the floor to amendment S—3136 and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 26.

Amendment S—3147 lost.

Senator Holden moved the adoption of amendment S—3136.

A non record roll call was requested.

The ayes were 31, nays 13.

Amendment S—3136 was adopted.

Senator Waldstein offered amendment S—3141 filed by Senators Waldstein, et al., from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 28.

Amendment S—3141 lost.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 180) the vote was:

Ayes, 33:

Anderson	Bisenius	Carney	Carr
Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Holden	Hulse	Hultman
Hutchins	Jensen	Kinley	Kudart
Lura	Miller, C.P.	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst.			

Nays, 14:

Baughner	Briles	Brown	Gentleman
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Goodwin
Junkins
Waldstein

Gratias
Miller, A.V.
Wells

Hester
Rodgers

Husak
Slater

Absent or not voting, 3:

Murray

Nystrom

Yenger

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 371, by Committee on County Government, a bill for an act authorizing county sheriffs to enforce traffic laws on private roads providing access to a private lake or other development upon the request of the property owners.

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

Senate File 372, by Carr, a bill for an act to delete from the list of features required of electronic voting systems approved for use in Iowa the requirement that the voting punch device be constructed so as to notify an elector who makes an error in marking the ballot.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

**SENATE JOINT
RESOLUTION 8**

Ways and Means
Hester, Chairperson
Rodgers
Lura

SENATE FILE 170

State Government
Drake, Chairperson
Nystrom
C. Miller

SENATE FILE 209

Ways and Means
Husak, Chairperson
Hester
Readinger

SENATE FILE 269

State Government
Drake, Chairperson
Schwengels
C. Miller

SENATE FILE 286

Labor and Industrial Relations
Hultman, Chairperson
Goodwin
Kinley

SENATE FILE 298

Transportation
Jensen, Chairperson
Drake
Coleman

SENATE FILE 302

Commerce
Priebe, Chairperson
Jensen
Craft

SENATE FILE 105

Ways and Means
Lura, Chairperson
Hester
Van Gilst

SENATE FILE 207

Ways and Means
Craft, Chairperson
Readinger
Rush

SENATE FILE 247

Ways and Means
Lura, Chairperson
Taylor
Palmer

SENATE FILE 278

Human Resources
Vande Hoef, Chairperson
Nystrom
Gentleman

SENATE FILE 287

Natural Resources
Gentleman, Chairperson
Kudart
Gallagher

SENATE FILE 301

Labor and Industrial Relations
Carney, Chairperson
Gratias
Anderson

SENATE FILE 303

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 309

Judiciary
Carr, Chairperson
Dreeszen
Baugher

SENATE FILE 312

Ways and Means
Readinger, Chairperson
Rodgers
Hester

SENATE FILE 316

Commerce
Holden, Chairperson
DeKoster
Husak

HOUSE FILE 155

Ways and Means
Lura, Chairperson
Van Gilst
Hester

HOUSE FILE 218

Agriculture
Vande Hoef, Chairperson
Hutchins
Van Gilst

HOUSE FILE 349

Ways and Means
Hester, Chairperson
Van Gilst
Taylor

HOUSE FILE 413

State Government
Lura, Chairperson
Schwengels
Slater

HOUSE FILE 430

Judiciary
Taylor, Chairperson
Rush
Dreeszen

SENATE FILE 311

Labor and Industrial Relations
Goodwin, Chairperson
Gratias
Anderson

SENATE FILE 313

Ways and Means
Van Gilst, Chairperson
Taylor
Ramsey

SENATE FILE 317

Education
Carney, Chairperson
Wells
Dreeszen

HOUSE FILE 186

County Government
Brown, Chairperson
Hester
Vande Hoef

HOUSE FILE 293

Human Resources
Hulse, Chairperson
Carr
Slater

HOUSE FILE 396

Natural Resources
Goodwin, Chairperson
Tieden
Rodgers

HOUSE FILE 414

Education
Gratias, Chairperson
Carney
Brown
Jensen
Small

SSB 94

State Government
Lura, Chairperson
Craft
Gallagher

SSB 203

County Government
C. Miller, Chairperson
Brown
Vande Hoef

SSB 291

Ways and Means
Craft, Chairperson
Hester
Van Gilst
Priebe
Lura

SSB 293

State Government
Schwengels, Chairperson
Nystrom
Gallagher

SSB 295

Transportation
Hutchins, Chairperson
Drake
Comito

SSB 297

Judiciary
Kudart, Chairperson
Small
Lura

SSB 299

Judiciary
Small, Chairperson
Lura
Deluhery

SSB 301

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SSB 305

Ways and Means
Craft, Chairperson
Hultman

SSB 268

Ways and Means
Holden, Chairperson
Palmer
Readinger

SSB 292

County Government
Vande Hoef, Chairperson
Goodwin
Wells

SSB 294

County Government
C. Miller, Chairperson
Wells
Briles

SSB 296

Transportation
Bisenius, Chairperson
A. Miller
Jensen

SSB 298

Judiciary
Taylor, Chairperson
Murray
Carr

SSB 300

Judiciary
Doyle, Chairperson
Murray
Small

SSB 304

Ways and Means
Lura, Chairperson
Hester
Van Gilst

SSB 306

Ways and Means
Craft, Chairperson
Hultman

Holden
Junkins
Rush

SSB 307

Ways and Means
Craft, Chairperson
Hultman
Holden
Junkins
Rush

SSB 309

Ways and Means
Craft, Chairperson
Hultman
Holden
Junkins
Rush

SSB 311

Ways and Means
Craft, Chairperson
Readinger
Rush

SSB 315

Human Resources
Gratias, Chairperson
C. Miller
Drake

SSB 320

Judiciary
Doyler, Chairperson
Rush
Lura

SSB 322

State Government
Schwengels, Chairperson
Nystrom
Slater

Holden
Junkins
Rush

SSB 308

Ways and Means
Craft, Chairperson
Hultman
Holden
Junkins
Rush

SSB 310

Judiciary
Lura, Chairperson
Deluhery
Kudart

SSB 312

Commerce
Jensen, Chairperson
Craft
Deluhery

SSB 316

Human Resources
Vande Hoef, Chairperson
Nystrom
Gentleman

SSB 321

Judiciary
Coleman, Chairperson
Kudart
Small

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointments to **standing committees** for investigation on March 6, 1981:

Commission for the Blind—Arlene Dayhoff—State Government.

Transportation Regulation Board—Conrad A. Amend—Transportation.

Professional and Occupational Regulation Commission—Russell Hyde—State Government.

Labor Commissioner—Allen J. Meier—Labor and Industrial Relations.

Iowa Commerce Commission—Christine Hansen—Commerce.

Professional and Occupational Regulation Commission—Shelia Sidles—State Government.

Iowa Natural Resources Council—Edwin Augustine—Natural Resources.

Iowa Natural Resources Council—John P. Whitesell—Natural Resources.

Iowa Natural Resources Council—E. Eileen Heiden—Natural Resources.

CALVIN O. HULTMAN, Chairperson

FURTHER REPORTS OF COMMITTEE MEETINGS

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 658 of the Senate Journal.

Final Bill Action: Senate File 371, a bill for an act authorizing county sheriffs to enforce traffic laws on private roads providing access to a private lake or other development upon the request of the property owners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

HUMAN RESOURCES*

*A previous report of this meeting was recorded on page 684 of the Senate Journal.

Final Bill Action: Senate File 370, a bill for an act reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services.

Recommendation: APPROVED COMMITTEE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 9: Gentleman, Yenger, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, 2: Carr and Coleman. Absent or not voting, 1: C. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 5, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; Deluhery, DeKoster and Gentleman.

Members Absent: none.

Other Committee Business: Harold Templeman explained the budget for Independence Mental Health Institute; subcommittee tentatively approved the Governor's recommended budget for FY 82 and 83 for Cherokee, Independence and Clarinda MHI's; Mount Pleasant's budget was deferred; Bill Armstrong presented the options of operation and renovation at Mount Pleasant.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 5, 1981, 9:40 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Discussion of 1982-83 appropriations for Commission for the Blind, College Aid Commission and IPBN.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 5, 1981, 9:40 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Presentation from the Iowa State Department of Health.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 5, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Gallagher, Goodwin and Hester.

Members Absent: Priebe, Ranking Member.

Other Committee Business: Continued discussion and amendment of budget proposals as outlined in SSB 317.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 5, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: John Beamer, John Loihl and Peter Pashler, P.E.R. Board, appeared before the committee and presented their budget—discussion followed.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 5, 1981, 9:40 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Lura and Wells.

Members Absent: Taylor.

Other Committee Business: Subcommittee meetings on OPP and Merit Employment were held.

Adjourned: 9:50 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND
LAW ENFORCEMENT**

Convened: March 5, 1981, 9:35 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Presentation of proposed Criminal Justice Fund by Brice Oakley and presentation by the Department of Public Safety.

Adjourned: 12:00 noon.

RULES AND ADMINISTRATION

Convened: March 6, 1981, 8:45 a.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Holden, Ramsey and Junkins.

Members Absent: Kinley, Ranking Member.

Final Bill Action: Senate Concurrent Resolution 12, a resolution establishing a symbol in memory of those Americans who served in Vietnam.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hultman, Hulse, Holden, Ramsey and Junkins. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House Concurrent Resolution 12, a resolution relating to the Joint Memorial Session to be held March 31, 1981 at 7:30 p.m.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hultman, Hulse, Holden, Ramsey and Junkins. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:58 a.m.

STATE GOVERNMENT

Convened: March 5, 1981, 3:07 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: none.

Final Bill Action: Senate File 154, a bill for an act repealing the prohibition against a municipality, county, or other governmental unit within the state making a law, ordinance, or regulation relating to the availability of obscene materials.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Nystrom, Lura, Briles, Craft, Drake, C. Miller, Schwengels and Tieden. Nays, 6: Slater, Carr, Gallagher, Gentleman, Hutchins and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 213, a bill for an act relating to the members of the Iowa beer and liquor control council.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 4:00 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	11	State Government
S. F.	348	State Government
S. F.	349	Judiciary
S. F.	350	Natural Resources
S. F.	351	Judiciary
S. F.	352	Judiciary
S. F.	353	Energy

S. F.	354	Cities.
S. F.	355	State Government
S. F.	356	Judiciary
S. F.	359	Judiciary
S. F.	360	County Government
S. F.	361	Ways and Means

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery on March 5, 1981:

Twenty-five students from Carlisle Community School District, Carlisle, Iowa, accompanied by Gary Sinclair. Senator Brown.

The following visitors were present in the Senate gallery on March 6, 1981:

Eighty students from Terrace Elementary School, Ankeny, Iowa, accompanied by Mrs. Nelson and Mrs. Logan. Senator Baugher.

AMENDMENTS FILED

S-3141	S. F.	180	Arne Waldstein Norman J. Goodwin Alvin V. Miller James D. Wells A.R. (Bud) Kudart Forrest V. Schwengels
S-3142	S. F.	324	Richard Comito
S-3143	S. F.	300	William D. Palmer
S-3145	S. F.	324	Richard Comito
S-3146	S. F.	321	Richard F. Drake
S-3147	S. F.	180	Forrest V. Schwengels
S-3148	S. F.	260	Charles P. Miller
S-3149	S. F.	300	Bob Carr
S-3150	H.F.	348	Edgar H. Holden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 12:00 noon, until 10:00 a.m., Monday, March 9, 1981.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 9, 1981

The Senate met in regular session at 10:12 a.m., President Branstad presiding.

Prayer was offered by the Reverend Julius Rechtermann, pastor of the Faith United Church of Christ, Muscatine, Iowa.

The Journal of Friday, March 6, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ashton McCrary, M.D., Lake City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holden for the day on request of Senator Hultman.

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 5, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, a resolution urging Congress to study and enact legislation that would minimize the impact of early election returns in a Presidential election.

ALSO: That the House has on February 27, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 303, a bill for an act relating to the registration of group day care home providers.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

HOUSE CONCURRENT RESOLUTION 2

By: Harbor, Danker, Connors, Chiodo, Crabb,
Renken, Lonergan, Tyrrell, Schroeder, Cochran,
Hansen of O'Brien, and Johnson of Linn

1 *Whereas*, the outcome of the recent election for President
2 and Vice President of the United States was predicted early
3 in the evening of November 4, 1980, by the national broadcast
4 media, before the polls closed in Iowa and other more western
5 states; and

6 *Whereas*, the broadcast media based their predictions on
7 election returns released by election officials of eastern
8 and some midwestern states after the polls closed in those
9 states; and

10 *Whereas*, there is strong evidence that the predictions
11 discouraged many citizens in the midwest and western states
12 from voting and thus affected the outcome of many important
13 and close state and local issues and contests; and

14 *Whereas*, there is a need for national legislation that
15 will lessen the impact of election returns from earlier voting
16 states on voters in the later voting states and that will
17 recognize and respect the constitutional rights of the media
18 to report the news; *Now Therefore*,

19 *Be It Resolved by the House of Representatives, the Senate*
20 *Concurring*, That the Iowa General Assembly urges the Congress
21 of the United States to study and consider seriously the
22 effect that the release of election returns from earlier
23 voting states has on voting in the later voting states and
24 further urges the Congress of the United States to enact
25 legislation that will minimize the impact of election returns
26 from the earlier voting states but will not discourage any
27 citizen from exercising the precious right of an American
28 to vote; and

29 *Be It Further Resolved*, That the Chief Clerk of the House
30 transmit copies of this resolution to the members of the Iowa

Page 2

1 congressional delegation and to the presiding officers of
2 the House of Representatives and Senate of the United States.

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

House File 303, a bill for an act relating to the registration of
group day care home providers.

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

INTRODUCTION OF BILLS

Senate File 373, by Vande Hoef, a bill for an act relating to the redemption of damaged empty beverage containers and subjecting violators to a penalty.

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

Senate File 374, by Committee on Cities, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, and taking effect upon publication.

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

UNFINISHED BUSINESS (Deferred March 5, 1981)

Senate File 294

The Senate resumed consideration of Senate File 294, a bill for an act relating to taxidermy and subjecting violators to a penalty, deferred on March 5, 1981.

Senator Gentleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 294) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Murray	Nystrom	Palmer
Priebe	Readinger	Rodgers	Rush
Schwengels	Slater	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Yenger

Nays, 1:

Miller, C.P.

Absent or not voting, 5:

Comito	Holden	Ramsey	Small
Van Gilst			

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

MOTION TO RECONSIDER LOST

Senate File 260

Senator Miller of Des Moines called up the motion to reconsider Senate File 260, a bill for an act to provide for the payment of reinstatement fees for motor vehicle licenses revoked or suspended under the nonresident violators compact, filed by him on February 24, 1981, found on page 562 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 260) the vote was:

Ayes, 20:

Anderson	Brown	Carr	Coleman
Deluhery	Gallagher	Husak	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Rush
Slater	Small	Taylor	Wells

Nays, 25:

Bisenius	Briles	Carney	Craft
DeKoster	Doyle	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Jensen	Kudart
Lura	Murray	Nystrom	Readinger
Schwengels	Tieden	Vande Hoef	Waldstein
Yenger			

Absent or not voting, 5:

Baughner	Comito	Holden	Ramsey
Van Gilst			

The motion lost.

Amendment S—3148 filed by Senator Miller of Des Moines on March 6, 1981, to page 1 of the bill, was out of order.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 308.

Senate File 308

On motion of Senator DeKoster, Senate File 308, a bill for an act relating to offenses and penalties under the Iowa unauthorized insurers Act and the insurance trade practices Act, was taken up for consideration.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 308) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Comito	Gratias	Holden	Ramsey
Van Gilst			

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

Senate File 310

On motion of Senator Hester, Senate File 310, a bill for an act

increasing from four percent to eight percent the penalty to be paid to redeem property sold for delinquent taxes, was taken up for consideration.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 310) the vote was:

Ayes, 24:

Briles	Carney	Craft	DeKoster
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Rush
Schwengels	Taylor	Vande Hoef	Waldstein

Nays, 24:

Anderson	Baughner	Bisenius	Brown
Carr	Coleman	Comito	Deluhery
Doyle	Gallagher	Husak	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Tieden	Wells	Yenger

Absent or not voting, 2:

Holden	Van Gilst
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The bill not having received a constitutional majority was declared to have failed to pass the Senate.

House File 211

On motion of Senator Baughner, House File 211, a bill for an act relating to the salary rate to be paid to judicial magistrates in counties which appoint an additional judicial magistrate and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Baughner moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 211) the vote was:

Ayes, 46:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Bisenius	Comito	Holden	Van Gilst
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senate Concurrent Resolution 10

On motion of Senator Hulse, Senate Concurrent Resolution 10, a resolution urging Congress to take action to allow the state to control its own trust funds, filed February 26, 1981, and found on pages 583-584 of the Senate Journal, was taken up for consideration.

Senator Hulse moved the adoption of the resolution, which motion prevailed by a voice vote.

Senate Concurrent Resolution 11

On motion of Senator Carney, Senate Concurrent Resolution 11, a resolution urging Congress to exempt from federal unemployment taxation the wages of corporate officers who are corporate employees, filed February 26, 1981, and found on pages 584-585 of the Senate Journal, was taken up for consideration.

Senator Carney moved the adoption of the resolution, which motion prevailed by a voice vote.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hultman asked and received unanimous consent to take up out of order Senate File 28.

Senate File 28

On motion of Senator Small, Senate File 28, a bill for an act to allow instructional staff of a professional school to serve on the licensing board of that profession, with report of committee recommending passage, was taken up for consideration.

Senator Small offered amendment S—3074 filed by him on February 17, 1981, to page 1 of the bill.

Senator Small asked and received unanimous consent that action on amendment S—3074 and **Senate File 28** be **deferred**.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:30 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:07 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 375, by Doyle, a bill for an act relating to the treatment of juveniles for mental health and substance abuse problems.

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

Senate File 376, by Palmer, a bill for an act relating to the issuance of bonds by school districts for energy-related conservation measures for or the maintenance of school district buildings.

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

Senate File 377, by Committee on Human Resources, a bill for an act relating to the disposal of resources for less than fair market value by individuals eligible for medical assistance.

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

Senate File 378, by Tieden and Miller of Des Moines, a bill for an act relating to the private sale, control, distribution, and taxation of wine containing more than five percent but not more than seventeen percent alcohol by weight, declaring certain acts relating to wine to be unlawful and prescribing penalties.

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

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 263, the following technical correction was made:

1. Amendment S—3112 to Senate File 263, page 1, line 3, after the last quote ("), the words "and inserting in lieu thereof the words "[as a result of mistake,]" " were added.

LINDA HOWARTH MACKAY
Secretary of the Senate

STUDY BILLS RECEIVED

S.S.B. 323 Natural Resources

Relating to the mining of ores or minerals other than coal.

S.S.B. 324 Ways and Means

Relating to the sale of public revenue bonds and making it effective upon publication.

S.S.B. 325 State Government

To make employment applications confidential records and allow them to be discussed in closed session.

S.S.B. 326 Ways and Means

Relating to the confidentiality of claims for property tax credits and rent reimbursements.

S.S.B. 327 State Government

Creating the criminal justice planning agency and the criminal justice advisory council, prescribing powers and duties, transferring existing programs, and abolishing the Iowa crime commission.

S.S.B. 328 County Government

Relating to the approval of a county hospital budget.

S.S.B. 329 Ways and Means

Limiting refunds of the state insurance retaliatory tax.

S.S.B. 330 Energy

Requiring prime suppliers of liquid fossil fuel to Iowa to reserve a specified percentage of fuel for release by the director of energy policy under specified circumstances.

REPORTS OF INVESTIGATING COMMITTEES

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Joy C. Corning, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the Iowa Housing Finance Authority under the provisions of Section 220.2, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Elmer H. Vermeer, Sioux Center, Sioux County, Iowa, for reappointment as a member of the Iowa Housing Finance Authority under the provisions of Section 220.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

**SUBCOMMITTEE ASSIGNMENTS FOR
GOVERNOR'S APPOINTMENTS**

In accordance with Senate Rule 58, the following Senators were appointed to subcommittees of standing committees:

COMMERCE: As a member of the Iowa State Commerce Commission:

CHRISTINE HANSEN
DeKoster, Chairperson
Baughner
Husak

NATURAL RESOURCES: As members of the Iowa Natural Resources Council:

EDWIN AUGUSTINE
E. EILEEN HEIDEN
JOHN P. WHITESELL

Kudart, Chairperson
Gentleman
Hutchins

STATE GOVERNMENT: As a member of the Iowa Commission for the Blind:

ARLENE DAYHOFF
Nystrom, Chairperson
Schwengels
Palmer

STATE GOVERNMENT: As members of the Professional and Occupational Regulation Commission:

RUSSELL HYDE
SHEILA SIDLES
Nystrom, Chairperson
Schwengels
Palmer

TRANSPORTATION: As a member of the Transportation Regulation Board:

CONRAD A. AMEND
Drake, Chairperson
Jensen
Coleman

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The Committee on Rules and Administration placed the following Governor's appointments on the En Bloc Confirmation Calendar on March 9, 1981, and recommended the appointments be confirmed:

Donald Lewis—Job Service Advisory Council

Jeanette A. Blackstone—Job Service Advisory Council

Curtis F. Mineart—County Finance Committee

Beverly Dickerson—County Finance Committee

Francis E. Holland—Board of Engineering Examiners

Charles E. Hales—Board of Engineering Examiners

Herman Lewis—Board of Engineering Examiners

Gary Hughes—Iowa Law Enforcement Academy Council

- Paul C. Hoffey—Iowa Law Enforcement Academy Council
- Rose Marie Edgerton—Iowa Law Enforcement Academy Council
- Elizabeth Kinney—State Board of Nursing Examiners
- Mark Zimmerman—State Board of Nursing Examiners
- Karlton Kunath—Board of Watchmaking Examiners
- Sidney Wilcox—Board of Watchmaking Examiners
- Helen Henderson—State Mental Health Advisory Council
- Phyllis Christiansen—State Mental Health Advisory Council
- Donald E. Perkins—State Mental Health Advisory Council
- James Hassenfritz—State Mental Health Advisory Council
- Richard Hansen—Board of Architectural Examiners
- Margaret Apostle—Board of Architectural Examiners
- Bernard J. Keninger—Board of Architectural Examiners
- Norma Peters—Board of Landscape Architectural Examiners
- John M. Roberts—Board of Landscape Architectural Examiners
- Jesse Lewis—Board of Landscape Architectural Examiners
- Ruth Roberts—Board of Accountancy
- Gaylon L. Halverson—Board of Accountancy
- Vernon Spilker—Board of Certification of Waterworks and Waste Waterworks Operators
- Joseph Obr—Board of Certification of Waterworks and Waste Waterworks Operators
- Dr. Clarence R. Hosford—State Board of Dental Examiners
- Marcia Wiedmeyer—State Board of Dental Examiners
- Harold Erichsen—State Board of Barber Examiners
- Helen Mefferd—State Board of Cosmetology Examiners

Dr. Gloria Kirkland—State Board of Optometry Examiners

Margo Underwood—State Board of Pharmacy Examiners

Dr. Ray Samuel—State Board of Podiatry Examiners

Deborah L. Green—State Board of Physical and Occupational Therapy Examiners

Gary L. Sliefert—State Board of Mortuary Science Examiners

Shirley A. Thompson—State Board of Podiatry Examiners

Sidney Vanderwoude—Board of Examiners for Nursing Home Administrators

CALVIN O. HULTMAN, Chairperson

FURTHER
REPORT OF COMMITTEE MEETING

HUMAN RESOURCES*

*A previous report of this meeting was recorded on page 684 of the Senate Journal.

Final Bill Action: Senate File 377, a bill for an act relating to the disposal of resources for less than fair market value by individuals eligible for medical assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gentleman, Yenger, C. Miller, Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 310 failed to pass the Senate on March 9, 1981.

RICHARD COMITO

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 7, 1981, 8:00 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Overviews by Sally Cunningham, State Mental Health Advisory Council and John Langhorn, Assistant Director, Mental Health Authority; tentatively approved Governor's budget for FY 82 and 83 for the State Mental Health Advisory Council and Mental Health Authority.

Adjourned: 9:10 a.m.

CITIES

Convened: March 9, 1981, 9:10 a.m.

Members Present: Readinger, Chairperson; A. Miller, Ranking Member; Carney, Slater and Wells.

Members Absent: Comito, Vice Chairperson; Kinley, Waldstein and Holden (excused).

Final Bill Action: Senate File 374, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, and taking effect upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Readinger, A. Miller, Carney, Slater and Wells. Nays, none. Absent or not voting, 4: Comito, Kinley, Waldstein and Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned Senate File 327 to subcommittee.

Adjourned: 9:15 a.m.

HUMAN RESOURCES

Convened: March 9, 1981, 3:04 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef.

Members Absent: Coleman and Drake.

Final Bill Action: House File 293, a bill for an act creating a revolving farm fund for the department of social services, effective upon publication.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gentleman, Yenger, C. Miller, Carr, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; discussed Senate File 278 and SSB 188.

Adjourned: 3:30 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	363	Judiciary
S. F.	364	County Government
S. F.	365	Commerce
S. F.	366	Commerce
S. F.	367	Judiciary
S. F.	368	Education
S. F.	369	Education
S. F.	372	State Government

PETITION

The following petition was presented and placed on file by:

Senator Miller of Des Moines from eighty-two residents of Iowa opposing educational budget cuts for Iowa Wesleyan College.

AMENDMENTS FILED

S-3151	S. F.	48	Dick Ramsey
S-3152	S. F.	28	Lucas J. DeKoster
			Arthur A. Small, Jr.
S-3153	H.F.	414	Arthur A. Small, Jr.
			Joe Brown
			Ted Anderson
			James D. Wells
S-3154	H.F.	414	Joe Brown

Ted Anderson
Arthur A. Small, Jr.
James D. Wells

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:10 p.m., until 9:00 a.m., Tuesday, March 10, 1981.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 10, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend Clarence Beard, pastor of the First Presbyterian Church, Alta, Iowa.

The Journal of Monday, March 9, 1981, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lura for the day on request of Senator Hultman.

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 5, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 440, a bill for an act to provide for redrawing director districts in a merged area.

ALSO: That the House has on March 5, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 453, a bill for an act relating to the payment of interest on deposits made by customers of public utilities.

ALSO: That the House has on March 5, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 465, a bill for an act relating to the preparation of the farm unit soil conservation folder and plan.

ALSO: That the House has on March 5, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 467, a bill for an act relating to rules of the fire marshal.

ALSO: That the House has on March 5, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 509, a bill for an act limiting refunds of the state insurance retaliatory tax.

ALSO: That the House has on March 5, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 559, a bill for an act relating to offenses and penalties under the Iowa unauthorized insurers Act and the insurance trade practices Act.

ALSO: That the House has on March 5, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 565, a bill for an act authorizing foreign insurance corporations doing business under chapter 515 of the Code to reincorporate as Iowa corporations.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 440, a bill for an act to provide for redrawing director districts in a merged area.

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

House File 453, a bill for an act relating to the payment of interest on deposits made by customers of public utilities.

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

House File 465, a bill for an act relating to the preparation of the farm unit soil conservation folder and plan.

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

House File 467, a bill for an act relating to rules of the fire marshal.

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

House File 509, a bill for an act limiting refunds of the state insurance retaliatory tax.

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

House File 559, a bill for an act relating to offenses and penalties under the Iowa unauthorized insurers Act and the insurance trade practices Act.

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

House File 565, a bill for an act authorizing foreign insurance corporations doing business under chapter 515 of the Code to reincorporate as Iowa corporations.

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

INTRODUCTION OF BILLS

Senate File 379, by Hutchins, a bill for an act relating to the waiver of certain licensing, registration, and rule requirements for child day care facilities.

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

Senate File 380, by Schwengels, a bill for an act relating to hunting in road rights-of-way and subjecting violators to a penalty.

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

CONSIDERATION OF RESOLUTION

(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 12.

Senate Concurrent Resolution 12

On motion of Senator Husak, Senate Concurrent Resolution 12, a resolution establishing a symbol in memory of those Americans who served in Vietnam, filed March 5, 1981, and found on pages 670-671 of the Senate Journal, was taken up for consideration.

Senator Husak moved the adoption of the resolution, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Concurrent Resolution 12** be immediately messaged to the House.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:15 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President pro tempore Ramsey presiding.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 27, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Dolph Pulliam, West Des Moines, Polk County, Iowa, for reappointment as a member of the Council on Social Services pursuant to Section 217.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Calvin Auger, Anamosa, Jones County, Iowa, for reappointment as a member of the Iowa Crime Commission pursuant to Section 80C.6, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Thomas E. Martin, Sioux City, Woodbury County, Iowa, for reappointment as a member of the Iowa Crime Commission pursuant to Section 80C.6, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of William J. O'Brien, Des Moines, Polk County, Iowa, for reappointment as a member of the Iowa Crime Commission pursuant to Section 80C.6, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Gary P. Riedmann, Ankeny, Polk County, Iowa, for reappointment as Director of the Iowa Department of Substance Abuse pursuant to Section 125.8, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Elbert Maricle, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1981 Code of Iowa, for an unexpired portion of a term ending April 30, 1982.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of John A. Gazaway, O.D., Eagle Grove, Wright County, Iowa, for appointment as a member of the State Board of Optometry Examiners pursuant to Section 147.14(6), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Gale W. Stapp, Oskaloosa, Mahaska County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners pursuant to Section 147.14(5), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Richard Peebler, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Tax Review pursuant to Section 421.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of James Williams, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Watchmaking Examiners pursuant to Section 120.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 381, by Vande Hoef, a bill for an act relating to the transportation of nonpublic school pupils outside the state.

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

Senate File 382, by Ramsey, a bill for an act repealing the requirement that clerks of the district court and county attorneys inspect county jails.

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

Senate File 383, by Wells, a bill for an act relating to smoking prohibitions and providing a criminal penalty.

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

Senate File 384, by Committee on State Government, a bill for an act relating to elections by revising the statutes governing the furnishing of nomination papers, nominations by parties, nonparty political organizations and petition, nominations of presidential electors, information requested for registration, closing registration for elections, reporting on party registration, allowing employees time off work to vote, and delivering absentee ballots.

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

Senate File 385, by Schwengels and Carr, a bill for an act relating to minimum fire safety standards for jails.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order House Concurrent Resolution 12.

House Concurrent Resolution 12

On motion of Senator Hultman, House Concurrent Resolution 12, a resolution relating to the joint memorial session to be held March

31, 1981, at 7:30 p.m., filed February 17, 1981, and found on page 489 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of the resolution, which motion prevailed by a voice vote.

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

The Senate resumed session, President pro tempore Ramsey presiding.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	373	Energy
S. F.	375	Judiciary
S. F.	376	Education
S. F.	378	State Government
H.C.R.	2	Rules and Administration
H.F.	303	Human Resources
H.F.	565	Commerce

SUBCOMMITTEE ASSIGNMENT FOR GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 58, the following Senators were appointed to a subcommittee of a standing committee:

Labor and Industrial Relations: Reappointment as Labor Commissioner:

- ALLEN J. MEIER
- Wells, Chairperson
- Goodwin
- Kinley

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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 10th day of March, 1981.

Senate Files 58, 86, 112, 147 and 201.

LINDA HOWARTH MACKAY
Secretary of the Senate

**FURTHER
REPORT OF COMMITTEE MEETING**

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 702 of the Senate Journal.

Final Bill Action: Senate File 384, a bill for an act relating to elections by revising the statutes governing the furnishing of nomination papers, nominations by parties, nonparty political organizations and petition, nominations of presidential electors, information requested for registration, closing registration for elections, reporting on party registration, allowing employees time off work to vote, and delivering absentee ballots.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

COMMUNICATION

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

OFFICE FOR PLANNING AND PROGRAMMING

A copy of the annual report for the fiscal year 1980 from the Office for Planning and Programming, pursuant to Section 7A.3(17), Code 1981. Additional copies are available to the members of the Senate upon request.

STUDY BILLS RECEIVED

S.S.B. 331 County Government

Relating to the recording of death certificates of persons who die outside the county of residence.

S.S.B. 332 Commerce

Relating to the deposit and investment of public funds in insured depository financial institutions.

S.S.B. 333 Labor and Industrial Relations

Relating to workers' compensation.

S.S.B. 334 Labor and Industrial Relations

Relating to the inclusion of employer-established accident, sickness, or retirement plan payments as wages under the unemployment compensation law.

S.S.B. 335 Labor and Industrial Relations

To amend the public employment relations Act by striking the requirement that arbitration decisions are final and binding and providing that a strike is within a public employee's rights.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: March 10, 1981, 8:05 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Waldstein and Van Gilst (arrived 8:15 a.m.).

Members Absent: none.

Final Bill Action: House File 53, a bill for an act providing an exemption from annual licensing and inspection for individuals making less than two thousand dollars per year from baked goods and confectionary items.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3155.

Final Vote: Ayes, 7: Taylor, Hester, Dreeszen, Husak, A. Miller, Vande Hoef and Waldstein. Nays, 2: Hutchins and Hulse. Absent or not voting, 1: Van Gilst.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 171 as redrafted and revised; approved SSBs 200, 247 and 260 as committee bills.

Adjourned: 9:00 a.m.

COMMERCE

Convened: March 10, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: Deluhery, Ranking Member.

Final Bill Action: House File 565, a bill for an act authorizing foreign insurance corporations doing business under chapter 515 of the Code to reincorporate as Iowa corporations.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Holden, Baugher, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 57 as redrafted; discussed SSB 279 and Senate File 256; recommended reappointment of Governor's appointee, Christine Hansen.

Adjourned: 4:00 p.m.

EDUCATION

Convened: March 9, 1981, 1:35 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:43 p.m.

JUDICIARY

Convened: March 9, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Coleman, Deluhery, Doyle, Dreeszen, Murray, Small, Taylor and Ramsey (arrived 3:30 p.m.).

Members Absent: Lura.

Other Committee Business: Assigned bills to subcommittees; approved combined Senate File 49 and SSB 88 for final draft as a committee bill.

Adjourned: 4:35 p.m.

STATE GOVERNMENT

Convened: March 9, 1981, 1:40 p.m.

Members Present: Nystrom, Chairperson; Slater, Ranking Member; Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Schwengels and Tieden.

Members Absent: Lura, Vice Chairperson (excused); Briles (excused) and Palmer.

Other Committee Business: Amended and approved SSB 63 as a committee bill; approved SSB 293 as a committee bill; assigned bills to subcommittees; recommended confirmation of Governor's appointees Joy Corning and Elmer Vermeer.

Adjourned: 2:30 p.m.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 58, I hereby request that the name of Elmer Vermeer be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

BOB RUSH

AMENDMENTS FILED

S-3155	H.F.	53	Agriculture Committee
S-3156	H.F.	414	Joe Brown Ted Anderson Arthur A. Small, Jr. James D. Wells
S-3157	S. F.	284	Tom Slater Bob Carr
S-3158	S. F.	153	C.W. Bill Hutchins
S-3159	H.F.	414	John S. Murray Lucas J. DeKoster David M. Readinger
S-3160	H.F.	414	Arthur A. Small, Jr. Joe Brown

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:09 p.m., until 9:00 a.m., Wednesday, March 11, 1981.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 11, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend Theodore Maskestad, pastor of the Nazareth Lutheran Church, Cedar Falls, Iowa.

The Journal of Tuesday, March 10, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Frederic Ashler, M.D., Hamburg, 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 on March 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 470, a bill for an act relating to the status of limitations on assessments of the income and franchise taxes.

ALSO: That the House has on March 9, 1981, passed the following bill in which the concurrence of the House was asked:

House File 504, a bill for an act relating to the enforcement of distress warrants issued by the director of revenue.

ALSO: That the House has on March 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 505, a bill for an act to remove the requirement that assessors itemize individual names and legal descriptions in their annual reports of exempt property to the department of revenue.

ALSO: That the House has on March 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 572, a bill for an act relating to the duties of the board of review.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 470, a bill for an act relating to the statute of limitations on assessment of the income and franchise taxes.

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

House File 504, a bill for an act relating to the enforcement of distress warrants issued by the director of revenue.

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

House File 505, a bill for an act to remove the requirement that assessors itemize individual names and legal descriptions in their annual reports of exempt property to the department of revenue.

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

House File 572, a bill for an act relating to the duties of the board of review.

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

INTRODUCTION OF BILLS

Senate File 386, by Gentleman, a bill for an act relating to public and confidential governmental records and providing a penalty.

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

Senate File 387, by Carr, a bill for an act to increase the maximum allowable value of merchandise prizes in a raffle conducted by a fair or qualified organization.

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

Senate File 388, by Carr, a bill for an act relating to the use of public buildings for political caucuses.

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

Senate File 389, by Carr, a bill for an act relating to payment of property damage claims by auto insurers.

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

Senate File 390, by Carr, a bill for an act to increase the maximum authorized tax levy for township fire protection.

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

Senate File 391, by Holden, a bill for an act to require the board of review to view the property whose assessment is being appealed upon the request of the taxpayer and providing a January 1 effective date.

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

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

The Senate resumed session, President Branstad presiding.

RECESS

On motion of Senator Hultman, the Senate recessed at 10:25 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:09 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 392, by Carr, a bill for an act to change the date of the regular school election from the second Tuesday in September of each year to the first Tuesday after the first Monday in November of each odd-numbered year, adjusting the terms of office of certain elective school officers accordingly, and providing a January 1, 1982 effective date.

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

Senate File 393, by Committee on Energy, a bill for an act relating to redemption and disposition of empty beverage containers and subjecting violators to a penalty.

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

Senate File 394, by Committee on State Government, a bill for an act increasing corporate and uniform commercial code filing fees.

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

Senate File 395, by Committee on State Government, a bill for an act to require that reports of induced terminations of pregnancies be filed with the state department of health.

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

BILLS REFERRED TO COMMITTEE

President Branstad announced the referral of the following bills to committee under Senate Rule 37:

Senate File 302, from the committee on Commerce to the committee on **Ways and Means.**

Senate File 321, from the Regular Calendar to the committee on **Agriculture.**

Senate File 328, from the committee on Commerce to the committee on **State Government.**

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order House File 414.

House File 414

On motion of Senator Gratias, House File 414, a bill for an act relating to funds available to school districts, including authorizing the levy of a tax for cash reserve, and the imposition of an income surtax retroactive to January 1, 1981, and including the computation of state school foundation aid, and providing that the Act takes effect upon its publication, with report of committee recommending passage, was taken up for consideration.

Senator Small asked and received unanimous consent that action on amendment S—3160 filed by Senators Small and Brown on March 10, 1981, to page 1 of the bill be deferred until after consideration of amendment S—3153.

Senator Brown asked and received unanimous consent to withdraw amendment S—3154 filed by Senators Brown, et al., on March 9, 1981, to pages 1, 3 and 10 of the bill.

Senator Brown offered amendment S—3156 filed by Senators Brown, et al., on March 10, 1981, to pages 1, 3 and 10 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3156 be adopted?" (H.F. 414) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells	Yenger		

Nays, 28:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

Amendment S—3156 lost.

Senator Junkins asked and received unanimous consent that the Senate take up for consideration amendments S—3153, S—3160 and S—3166, respectively.

Senator Small offered amendment S—3153 filed by Senators Small, et al., on March 9, 1981, to page 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3153 be adopted?" (H.F. 414) the vote was:

Ayes, 22:

Anderson	Brown	Carr	Coleman
DeKoster	Deluhery	Doyle	Gallagher
Husak	Hutchins	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Rodgers	Rush	Slater	Small
Van Gilst	Wells		

Nays, 28:

Baughner	Bisenius	Briles	Carney
Comito	Craft	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Murray	Nystrom
Ramsey	Readinger	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	Yenger

Amendment S—3153 lost.

Senator Small asked and received unanimous consent to withdraw amendment S—3160 to page 1 of the bill, previously deferred.

Senator Rodgers offered amendment S—3166 filed by Senators Rodgers, Coleman and Brown from the floor to pages 1, 3 and the title page of the bill.

Senator Gratias raised the point of order that amendment S—3166 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3166 out of order.

Senator Brown offered amendment S—3172 filed by him from the floor to pages 1 and 8 of the bill.

Senator Gratias raised the point of order that amendment S—3172 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3172 in order.

Senator Brown moved the adoption of amendment S—3172.

A record roll call was requested.

On the question “Shall amendment S—3172 be adopted?” (H.F. 414) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 3:

Brown	Coleman	Rodgers
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Nays, 47:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Amendment S—3172 lost.

Senator Brown offered amendment S—3168 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 29.

Amendment S—3168 lost.

Senator Brown withdrew amendment S—3175 filed by him from the floor to pages 1 and 10 of the bill.

Senator Small offered amendment S—3176 filed by him from the floor to pages 1 and 3 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3176 be adopted?" (H.F. 414) the vote was:

Ayes, 15:

Anderson	Baughner	Brown	Carr
Deluhery	Doyle	Junkins	Kinley
Miller, C.P.	Palmer	Readinger	Rodgers
Rush	Slater	Small	

Nays, 35:

Bisenius	Briles	Carney	Coleman
Comito	Craft	DeKoster	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Priebe	Ramsey	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Amendment S—3176 lost.

Senator Brown offered amendment S—3170 filed by him from the floor to page 2 of the bill.

Senator Gratias raised the point of order that amendment S—3170 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3170 in order.

Senator Brown moved the adoption of amendment S—3170.

A record roll call was requested.

On the question "Shall amendment S—3170 be adopted?" (H.F. 414) the vote was:

Ayes, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak

Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 29:

Baugher	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Amendment S—3170 lost.

Senator Brown withdrew amendment S—3169 filed by him from the floor to pages 2 and 3 of the bill.

Senator Junkins offered amendment S—3177 filed by him from the floor to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3177 be adopted?" (H.F. 414) the vote was:

Ayes, 23:

Anderson	Baugher	Brown	Carr
Coleman	Deluhery	Doyle	Gallagher
Husak	Hutchins	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rodgers	Rush	Slater
Small	Van Gilst	Wells	

Nays, 27:

Bisenius	Briles	Carney	Comito
Craft	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Murray	Nystrom
Ramsey	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Yenger	

Amendment S—3177 lost.

Senator Brown withdrew amendment S—3174 filed by him from the floor to pages 3 and 4 of the bill.

Senator Brown offered amendment S—3167 filed by him from the floor to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3167 be adopted?" (H.F. 414) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 29:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Amendment S—3167 lost.

Senator Brown withdrew amendment S—3171 filed by him from the floor to pages 8 and 10 of the bill.

Senator Murray offered amendment S—3159 filed by Senators Murray, DeKoster and Readinger on March 10, 1981, to page 9 of the bill.

Senator Brown asked unanimous consent that action on amendment S—3159 be deferred for preparation of a fiscal note.

The Chair advised that a fiscal note is not necessary on an amendment until it is adopted.

Senator Junkins asked unanimous consent that action on amendment S—3159 and House File 414 be deferred for preparation of a fiscal note on amendment S—3159.

Objection was raised by Senator Hultman.

(House File 414 and amendment S—3159 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 396, by Committee on County Government, a bill for an act relating to the platting and recording of resurveyed or subdivided land.

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

Senate File 397, by Committee on County Government, a bill for an act relating to the recording of real property conveyance pursuant to probate or marriage dissolution decrees.

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

Senate File 398, by Schwengels, a bill for an act creating a state incentive pay committee, specifying its powers and duties, and providing a date of repeal.

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

Senate File 399, by Committee on Natural Resources, a bill for an act relating to revision of laws governing recreational boating in Iowa, including penalties and scheduled fines for violations of boating laws.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	379	State Government
S. F.	380	Natural Resources
S. F.	381	Education
S. F.	382	Judiciary
S. F.	383	Human Resources
S. F.	385	State Government
H.F.	453	Commerce
H.F.	465	Agriculture
H.F.	467	State Government
H.F.	509	Commerce
H.F.	559	Commerce

STUDY BILLS RECEIVED

S.S.B. 336 Education

Relating to the minimum age for school attendance.

S.S.B. 337 Judiciary

Authorizing the department of social services to establish a sales bonus program for the sale of prison industry products.

REPORT OF INVESTIGATING COMMITTEE

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Conrad A. Amend, Des Moines, Polk County, Iowa, for reappointment as a member of the Transportation Regulation Board under the provisions of Section 307.15, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following

Governor's appointments on the **En Bloc Confirmation Calendar** on March 11, 1981, and recommended the appointments be confirmed:

Robert Bellinger—State Board of Pharmacy Examiners

Jim Meyer—Iowa Board of Veterinary Medicine Examiners

Milton F. Schlein—State Board of Chiropractic Examiners

Lloyd L. Cutler—State Board of Chiropractic Examiners

Larry D. Baker—Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers

Charles E. Storey—Commission on Judicial Qualifications

Judy A. Smith—State Board of Speech Pathology and Audiology Examiners

Martha Leibhart—State Board of Chiropractic Examiners

Gracie Ruden—Iowa Real Estate Commission

Ruth M. Turnis—State Board of Nursing Examiners

Dr. Sally Prickett—Iowa Board of Veterinary Medicine Examiners.

Kathryn Gerken—State Board of Psychology Examiners

Eva M. Yost—State Board of Barber Examiners

Roger Egland—State Board of Physical and Occupational Therapy Examiners

CALVIN O. HULTMAN, Chairperson

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 10, 1981, 9:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Hutchins.

Members Absent: Nystrom.

Other Committee Business: Completion of Board of Regents capitals requests.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 10, 1981, 9:35 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, Kudart and A. Miller.

Members Absent: none.

Other Committee Business: Presentations from the Iowa Department of Substance Abuse and area directors and agencies throughout Iowa dealing with substance abuse.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 10, 1981, 9:15 a.m.

Members Present: Tieden, Chairperson (arrived 9:40 a.m.); Priebe, Ranking Member (arrived 9:45 a.m.); Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Continued discussion of budget proposals.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 10, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Discussion and decisions regarding Campaign Finance Disclosure Commission, P.E.R. Board and Revenue.

Adjourned: 10:33 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 10, 1981, 9:35 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor (arrived 9:50 a.m.) and Wells.

Members Absent: Lura (excused).

Other Committee Business: Budget presentations by the Department of General Services.

Adjourned: 11:50 a.m.

ENERGY

Convened: March 10, 1981, 8:15 a.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Doyle, Kudart, Readinger, Rodgers and Yenger.

Members Absent: Briles.

Final Bill Action: Senate File 393, a bill for an act relating to redemption and disposition of empty beverage containers and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Ramsey, Bisenius, Gallagher, Anderson, Doyle, Kudart, Readinger, Rodgers and Yenger. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned Senate File 353, House File 304 and SSB 330 to subcommittees.

Adjourned: 8:30 a.m.

FURTHER REPORTS OF COMMITTEE MEETINGS

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 658 of the Senate Journal.

Final Bill Action: Senate File 396, a bill for an act relating to the platting and recording of resurveyed or subdivided land.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Vande Hoef and Yenger. Nays, 1: Priebe. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 397, a bill for an act relating to the recording of real property conveyance pursuant to probate or marriage dissolution decrees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

HUMAN RESOURCES*

*A previous report of this meeting was recorded on pages 718-719 of the Senate Journal.

Final Bill Action: Senate File 278, a bill for an act relating to the effective date of new rates for services provided to medical assistance recipients by licensed health care facilities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3162.

Final Vote: Ayes, 10: Gentleman, Yenger, C. Miller, Carr, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

NATURAL RESOURCES*

*A previous report of this meeting was recorded on page 659 of the Senate Journal.

Final Bill Action: Senate File 399, a bill for an act relating to revision of laws governing recreational boating in Iowa, including penalties and scheduled fines for violations of boating laws.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Hutchins and Rodgers. Nays, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 732-733 of the Senate Journal.

Final Bill Action: Senate File 394, a bill for an act increasing corporate and uniform commercial code filing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Nystrom, Slater, Craft, Drake, Gallagher, Gentleman, Hutchins, Schwengels and Tieden. Nays, 1: Carr. Absent or not voting, 4: Lura, Briles, C. Miller and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 395, a bill for an act to require that reports of induced terminations of pregnancies be filed with the state department of health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Nystrom, Slater, Carr, Craft, Gallagher, Hutchins, C. Miller, Schwengels and Tieden. Nays, 1: Gentleman. Absent or not voting, 4: Lura, Briles, Palmer and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

AMENDMENTS FILED

S—3161	S. F.	154	Lucas J. DeKoster Julia Gentleman C. Joseph Coleman James V. Gallagher David M. Readinger Rolf V. Craft Ted Anderson John S. Murray Sue Yenger
S—3162	S. F.	278	Human Resources Committee
S—3163	S. F.	324	C.W. Bill Hutchins Richard Comito
S—3164	S. J. R.	10	Jack W. Hester
S—3165	S. F.	371	Bob Rush
S—3166	H.F.	414	Norman G. Rodgers C. Joseph Coleman Joe Brown
S—3167	H.F.	414	Joe Brown

S-3168	H.F.	414	Joe Brown
S-3169	H.F.	414	Joe Brown
S-3170	H.F.	414	Joe Brown
S-3171	H.F.	414	Joe Brown
S-3172	H.F.	414	Joe Brown
S-3173	H.F.	414	Bob Carr
S-3174	H.F.	414	Joe Brown
S-3175	H.F.	414	Joe Brown
S-3176	H.F.	414	Arthur A. Small, Jr.
S-3177	H.F.	414	Lowell L. Junkins
S-3178	S. F.	384	John N. Nystrom Tom Slater
S-3179	H.F.	414	Bob Carr

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:40 p.m., until 8:00 a.m., Thursday, March 12, 1981.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 12, 1981

The Senate met in regular session at 8:00 a.m., President Branstad presiding.

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

The Journal of Wednesday, March 11, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joseph Spearing, M.D., Harlan, Iowa.

INTRODUCTION OF BILLS

Senate File 400, by Committee on Ways and Means, a bill for an act providing for the taxation of a lump sum distribution of an individual, estate or trust who has elected to have the distribution separately taxed under the Internal Revenue Code of 1954 and providing for a January 1 effective date.

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

Senate File 401, by Committee on Agriculture, a bill for an act to provide for increasing the maximum permissible assessment for the Iowa beef excise tax.

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

Senate File 402, by Committee on Agriculture, a bill for an act relating to the Iowa beef industry council.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

UNFINISHED BUSINESS
(Pending March 11, 1981)

House File 414

The Senate resumed consideration of House File 414 and amendment S—3159 by Senators Murray, DeKoster and Readinger, offered and pending on March 11, 1981.

CALL OF THE SENATE

The Chair announced the following Call of the Senate had been filed at the desk:

MR. PRESIDENT: Pursuant to Rule 18 of the Rules of the Senate of the Sixty-ninth General Assembly, we, the undersigned do hereby request a Call of the Senate on amendment S—3159 to House File 414.

CALVIN O. HULTMAN
JACK W. HESTER
A.R. (BUD) KUDART
NORMAN J. GOODWIN
DALE L. TIEDEN
ARTHUR L. GRATIAS
CLARENCE CARNEY
DICK RAMSEY
ARNE WALDSTEIN
EDGAR H. HOLDEN

A non record roll call revealed all members present.

Senator Murray moved the adoption of amendment S—3159 to pages 9 and 10 of the bill.

A record roll call was requested.

On the question "Shall amendment S—3159 be adopted?" (H.F. 414) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 9:

Anderson
Murray
Yenger

Brown
Palmer

Coleman
Readinger

DeKoster
Small

Nays, 41:

Baughner	Bisenius	Briles	Carney
Carr	Comito	Craft	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Ramsey	Rodgers
Rush	Schwengels	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Amendment S—3159 lost.

The Chair announced that the Call of the Senate was lifted because it only pertained to amendment S—3159.

Senator Carr withdrew amendment S—3173 filed by him on March 11, 1981, to page 10 of the bill.

Senator Carr offered amendment S—3179 filed by him on March 11, 1981, to page 10 of the bill.

Senator Gratias raised the point of order that amendment S—3179 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3179 in order.

Senator Carr moved the adoption of amendment S—3179 and requested a record roll call.

On the question "Shall amendment S—3179 be adopted?" (H.F. 414) the vote was:

Ayes, 11:

Anderson	Brown	Carr	Coleman
Doyle	Gallagher	Hutchins	Miller, C.P.
Slater	Tieden	Wells	

Nays, 39:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Deluhery
Drake	Dreeszen	Gentleman	Goodwin

Gratias	Hester	Holden	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Small	Taylor	Vande Hoef
Van Gilst	Waldstein	Yenger	

Amendment S—3179 lost.

Senator Carr withdrew amendment S—3180 filed by him from the floor to page 10 of the bill.

Senator Craft took the chair at 9:55 a.m.

President Branstad took the chair at 10:28 a.m.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 414) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Baughner	Bisenius	Briles	Carney
Comito	Craft	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Murray	Nystrom
Ramsey	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Yenger	

Nays, 23:

Anderson	Brown	Carr	Coleman
DeKoster	Deluhery	Doyle	Gallagher
Husak	Hutchins	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rodgers	Rush	Slater
Small	Van Gilst	Wells	

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 27, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Lynda E. Schuler, Ankeny, Polk County, Iowa, for appointment as a member of the State Board of Mortuary Science Examiners pursuant to Section 147.14(1), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Kenneth Kassel, Ayrshire, Palo Alto County, Iowa, for reappointment as a member of the State Soil Conservation Committee pursuant to Section 467A.4, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 11, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Neil Ronfeldt, Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Iowa Housing Finance Authority pursuant to Section 220.2, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Wendell R. Benson, Marshalltown, Marshall County, Iowa, for appointment as a member of the State Health Facilities Council pursuant to Section 135.62, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration.**

INTRODUCTION OF RESOLUTION

SENATE RESOLUTION 11

By: Anderson, Carr, Palmer and Wells

1 *Whereas*, an investigation into the shocking murders
2 of children in Atlanta, Georgia has been in progress
3 since June, 1979; and
4 *Whereas*, the investigation includes 35 full-time
5 police and law enforcement officers and 30 full-time
6 civilian staff persons, in addition to hundreds of
7 volunteer workers; and
8 *Whereas*, the cost of the investigation has climbed
9 to well over \$1 million and is continuing at a rate in
10 excess of \$150,000 per month; and
11 *Whereas*, additional costs have been incurred in
12 the course of conducting workshops and other informa-
13 tional meetings for Atlanta parents and their school
14 age children; and
15 *Whereas*, the psychological and emotional stress
16 which this continuing menace is inflicting upon the
17 children of Atlanta can be relieved only by a swift
18 resolution of the case; and
19 *Whereas*, the mayor of Atlanta has requested
20 donations to help pay for expenses related to the
21 investigation; and
22 *Whereas*, Iowans share both the grief and concern
23 of the people of Atlanta for the safety and welfare
24 of their children and their hopes that law and
25 justice will soon prevail; *Now Therefore*,
26 *Be It Resolved by the Senate*, That the Appropriations
27 Committee is directed to draft a bill for consideration
28 by the Senate which appropriates the sum of \$20,000 to

29 the Atlanta Bureau of Police Services, Investigative Fund,
30 for use in defraying the costs of the murder investigation.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 12, by Taylor, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to nullify or require reconsideration of a rule of a state agency by a resolution approved by the members of each house of the general assembly.

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

Senate File 403, by Committee on Transportation, a bill for an act relating to ways condemned by landowners having no access to their property.

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

Senate File 404, by Committee on Transportation, a bill for an act relating to the possession or consumption of beer or alcoholic beverages in a motor vehicle, upon a public street or highway, and providing a penalty.

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

Senate File 405, by Anderson, a bill for an act to permit pari-mutuel betting in Iowa by creating a state racing commission and prescribing its powers and duties, by providing for licensing of certain organizations for the purpose of conducting dog races and racing meets, by imposing taxes and fees and providing for their use and disbursement, and by declaring certain acts to be unlawful and prescribing penalties.

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

Senate File 406, by Priebe, a bill for an act relating to the penalty for failure to record a conveyance or lease of agricultural land within the specified time.

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

Senate File 407, by Priebe, a bill for an act relating to school transportation, to establish a school transportation aid fund for

payment to school districts of certain transportation costs, to establish a state foundation transportation property tax levy, and to make an appropriation.

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

Senate File 408, by Committee on Agriculture, a bill for an act relating to the production and sale of dairy products by updating certain standards and changing internal references required by the Interstate Milk Shippers Compact and by striking or repealing inconsistent provisions.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 11:43 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:03 p.m., President Branstad presiding.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 11, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Carolyn Farrell, Dubuque, Dubuque County, Iowa, for appointment as a member of the Campaign Finance Disclosure Commission pursuant to Section 56.9, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Marguerite Cothorn, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Rachel Evans, Fort Dodge, Webster County, Iowa, for reappointment as a member of the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of James L. Harmon, Estherville, Emmet County, Iowa, for appointment as a member of the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Thomas P. McDonnell, Clinton, Clinton County, Iowa, for appointment as a member of the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Elizabeth Burmeister, Des Moines, Polk County, Iowa, for appointment as a member of the Merit Employment Commission pursuant to Section 19A.6, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Marlene Ann Wager, D.O., Durant, Scott County, Iowa, for appointment as a member of the State Board of Medical Examiners pursuant to Section 147.14(2), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Darrel Dierks, Cedar Falls, Black Hawk County, Iowa, for reappointment as a member of the State Board of Psychology Examiners pursuant to Section 147.14(7), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Baxter Freese, Wellman, Washington County, Iowa, for appointment as a member of the State Conservation Commission pursuant to Section 107.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Marian Pike, Whiting, Monona County, Iowa, for reappointment as a member of the State Conservation Commission pursuant to Section 107.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of F. Richard Thornton, Des Moines, Polk County, Iowa, for appointment as a member of the State Conservation Commission pursuant to Section 107.1, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 409, by Committee on Human Resources, a bill for an act relating to the qualifications of the superintendent of a state mental health institute.

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

Senate File 410, by Baugher, a bill for an act relating to investments authorized for moneys in the Iowa public employees' retirement fund.

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

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate File 195** be withdrawn from further consideration of the Senate.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	386	State Government
S. F.	387	State Government
S. F.	388	State Government
S. F.	389	Commerce
S. F.	390	Ways and Means
S. F.	391	Ways and Means
S. F.	392	Education
S. F.	398	State Government
H.F.	470	Ways and Means
H.F.	504	Ways and Means
H.F.	505	Ways and Means
H.F.	572	County Government

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 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 March, 1981.

Senate File 106.

LINDA HOWARTH MACKAY
Secretary of the Senate

STUDY BILLS RECEIVED

S.S.B. 338 Natural Resources

Relating to coal mining.

S.S.B. 339 Transportation

Relating to the operation of urban transit systems.

S.S.B. 340 State Government

To make employment applications confidential records and allow them to be discussed in closed session.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 11, 1981, 10:55 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; A. Miller and Kudart.

Members Absent; Readinger.

Other Committee Business: Presentation from the Iowa State Department of Health.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 11, 1981, 10:35 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Decisions were made regarding Insurance Department, Beer and Liquor Council, Industrial Commissioner, Secretary of State, Computerization, Revenue-Motor Vehicle, Fuel Tax Fund, Commerce Commission—General and Administration Division.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 11, 1981, 10:37 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown (arrived 10:40 a.m.) and Vande Hoef.

Members Absent: Craft (excused).

Other Committee Business: Sandy Scott, Director of Community Programs, DSS, Larry Jackson, Director of Field Operations and Barbara Jackson, Planning Services (Title XX), gave an overview of Family Therapy; subcommittee approved and submitted House File 508 to the full Appropriations committee.

Adjourned: 12:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 11, 1981, 10:35 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor (arrived 11:50 a.m.) and Wells.

Members Absent: Lura (excused).

Other Committee Business: Budget presentation by the Department of General Services.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 11, 1981, 10:45 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Considered and approved recommendations for Iowa Law Enforcement Academy, Department of Public Defense and Office of Disaster Services.

Adjourned: 11:55 a.m.

EDUCATION

Convened: March 12, 1981, 3:00 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Final Bill Action: House File 143, a bill for an act relating to the authority of school districts to levy a tax for public educational and recreational purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gratias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Discussed SSB 165—deferred action; assigned bills to subcommittees.

Adjourned: 3:40 p.m.

HUMAN RESOURCES

Convened: March 12, 1981, 1:35 p.m.

Members Present: Gentleman, Chairperson; C. Miller, Ranking Member; Carr, Drake, Gratias (arrived 1:40 p.m.), Hulse, Slater and Vande Hoef.

Members Absent: Yenger, Vice Chairperson; Coleman, A. Miller and Nystrom.

Final Bill Action: Senate File 409, a bill for an act relating to the qualifications of the superintendent of a state mental health institute.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Gentleman, C. Miller, Carr, Drake, Gratias, Hulse, Slater and Vande Hoef. Nays, none. Absent or not voting, 4: Yenger, Coleman, A. Miller and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:50 p.m.

NATURAL RESOURCES

Convened: March 11, 1981, 8:05 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman and Kudart.

Members Absent: Tieden, Gallagher and Rodgers.

Other Committee Business: Assigned bills to subcommittees; recommended for confirmation to the En Bloc Confirmation Calendar, Governor's appointees Edwin Augustine, John Whitesell and E. Eileen Heiden to the Iowa Natural Resources Council.

Adjourned: 8:35 a.m.

TRANSPORTATION

Convened: March 10, 1981, 1:40 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom.

Members Absent: none.

Final Bill Action: Senate File 403, a bill for an act relating to ways condemned by landowners having no access to their property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Drake, Jensen, Coleman, Bisenius, Comito, Hutchins, A. Miller, Murray and Nystrom. Nays, 1: Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 404, a bill for an act relating to the possession or consumption of beer or alcoholic beverages in a motor vehicle, upon a public street or highway, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Drake, Jensen, Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom. Nays, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 47, a bill for an act relating to the contents of a permit or license application.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Recommended for confirmation Governor's appointee, Conrad A. Amend.

Adjourned: 2:40 p.m.

WAYS AND MEANS

Convened: March 11, 1981, 1:35 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Palmer, Priebe, Ramsey (arrived 1:53 p.m.), Taylor, Van Gilst and Rush.

Members Absent: Lura (excused).

Final Bill Action: Senate File 400, a bill for an act providing for the taxation of a lump sum distribution of an individual, estate or trust who has elected to have the distribution separately taxed under the Internal Revenue Code of 1954 and providing for a January 1 effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Craft, Readinger, Rodgers, Hester, Holden, Husak, Palmer, Priebe, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 3: Hultman, Junkins and Lura.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: SENATE FILE 95, a bill for an act relating to the establishment by a city or county of a low income elderly program with a partial funding by means of an income tax check-off of an individual's state income tax refund and providing a January 1 effective date, FAILED RECOMMENDATION FOR PASSAGE. Final vote: Ayes, 6: Rodgers, Hultman, Palmer, Priebe, Rush and Van Gilst. Nays, 5: Craft, Readinger, Hester, Holden and Taylor. Voting present, 1: Husak. Absent or not voting, 3: Junkins, Lura and Ramsey; assigned bills to subcommittees; deferred action on SSB 311.

Adjourned: 2:20 a.m.

REPORT OF INVESTIGATING COMMITTEE
(Place Nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Commerce assigned to investigate the character and qualifications of Christine Hansen, Des Moines, Polk County, Iowa, for reappointment as a member of the Iowa State Commerce Commission under the provisions of Section 474.1, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON COMMERCE
EDGAR H. HOLDEN, Chairperson

FURTHER
REPORT OF COMMITTEE MEETING

AGRICULTURE*

*A previous report of this meeting was recorded on page 731 of the Senate Journal.

Final Bill Action: Senate File 401, a bill for an act to provide for increasing the maximum permissible assessment for the Iowa beef excise tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Waldstein. Nays, 1: Van Gilst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 402, a bill for an act relating to the Iowa beef industry council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 408, a bill for an act relating to the production and sale of dairy products by updating certain standards and changing internal references required by the Interstate Milk Shippers Compact and by striking or repealing inconsistent provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

PRESENTATION OF VISITORS

Senator Hutchins presented Claudia Berger from Colonge, Germany, exchange student attending the Manilla Community Schools, Manilla, Iowa, who was present in the Senate chamber on March 11, 1981.

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

Eighty-eight students, members of the Linn County 4-H program. Senators Kudart, Wells, Rush and Gallagher.

AMENDMENTS FILED

S—3180	H.F.	414	Bob Carr
S—3181	S. F.	289	Dale L. Tieden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:05 p.m., until 9:00 a.m., Friday, March 13, 1981.

JOURNAL OF THE SENATE

SIXTY-FIRST CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 13, 1981

The Senate met in regular session at 9:10 a.m., President Branstad presiding.

The prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

The Journal of Thursday, March 12, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Palmer for the day on request of Senator Junkins; Senators Nystrom, Gratius and Dreezen for the day on request of Senator Hultman.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 13

By: Gallagher

- 1 *Whereas*, the federal government has estimated that reusing
2 waste oil could reduce petroleum imports by about seventy
3 thousand barrels a day; and
4 *Whereas*, recycling used motor oil will cut down on the
5 incidence of land and water pollution caused by the improper
6 disposal of used motor oil; and
7 *Whereas*, the state should encourage the conservation of
8 limited resources by being a leader in programs to recycle
9 used motor oil; *Now Therefore*,
10 *Be It Resolved by the Senate, the House of Representatives*
11 *Concurring*, That the legislative council is requested to
12 appoint a joint subcommittee composed of members of the house
13 and senate committees on energy and transportation to conduct
14 a study during the 1981 interim of the feasibility of
15 establishing a state-owned oil recycling plant in Iowa. The
16 study shall examine the following items in determining the
17 feasibility of the plant:
18 1. The use of the re-refined oil in state vehicles.
19 2. Collection systems involving the public and private

20 sectors.

21 3. Economic, environmental, and energy considerations
22 of recycling motor oil.

23 4. The proper agency of the state to administer the pro-
24 gram.

25 The subcommittee shall examine North Carolina's state-owned
26 re-refining operation and shall use the features of that pro-
27 gram as a model for the study. The subcommittee shall consult
28 with the state departments of transportation and environmental
29 quality and the energy policy council during the study. The
30 subcommittee shall submit a final report on the study with

Page 2

- 1 any legislative recommendations to the legislative council
- 2 and the general assembly meeting in 1982.

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

INTRODUCTION OF BILLS

Senate File 411, by Gallagher, a bill for an act relating to minimum activity work standards for members of the Iowa highway safety patrol.

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

Senate File 412, by Committee on Judiciary, a bill for an act amending the mechanic's lien statute to limit the enforceability of the lien of a subcontractor to the amount owing to the contractor at the time notice of the lien is given to the property owner by the subcontractor.

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

BILL REFERRED TO COMMITTEE

President Branstad announced that **Senate File 401** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 295.

Senate File 295

On motion of Senator Drake, Senate File 295, a bill for an act relating to the licensing of real estate salespersons, associate brokers and brokers, was taken up for consideration.

Senator Drake asked and received unanimous consent that amendment S—3124 be taken up for consideration.

Senator Drake offered amendment S—3124 filed by him on March 4, 1981, to pages 4 and 12 of the bill and moved its adoption.

Amendment S—3124 was adopted by a voice vote.

Senator Drake asked and received unanimous consent that **House File 348** be substituted for **Senate File 295**.

House File 348

On motion of Senator Drake, House File 348, a bill for an act relating to the licensing of real estate salespersons, associate brokers and brokers, was taken up for consideration.

Senator Holden offered amendment S—3150 filed by him on March 6, 1981, to pages 2 and 8 of the bill and moved its adoption.

Amendment S—3150 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that action on **House File 348** be **deferred**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 170.

Senate File 170

On motion of Senator Drake, Senate File 170; a bill for an act relating to the payment of salary and expenses of members of the

state functional classification review board, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—3120 filed by him on March 13, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3120 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 170) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Murray	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Voting present, 1:

Miller, C.P.

Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Briles for the day on request of Senator Hultman and Senator Priebe for the day on request of Senator Junkins.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 322

On motion of Senator Kudart, Senate File 322, a bill for an act prohibiting certain uses of licenses issued by the state conservation commission and providing a penalty, was taken up for consideration.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 322) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Briles	Dreészen	Gratias	Nystrom
Palmer	Priebe	Waldstein	

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

Senate File 325

On motion of Senator Lura, Senate File 325, a bill for an act relating to licensure of speech pathologists and audiologists, was taken up for consideration.

Senator Craft asked and received unanimous consent that action on **Senate File 325** be deferred.

Senate Joint Resolution 10

On motion of Senator Hester, Senate Joint Resolution 10, a joint resolution proposing a compact between the states of Iowa, Kansas, Missouri and Nebraska regarding the Missouri River, was taken up for consideration.

Senator Hester offered amendment S—3164 filed by him on March 11, 1981, to page 2 of the resolution and moved its adoption.

Amendment S—3164 was adopted by a voice vote.

Senator Hester withdrew amendment S—3123 filed by him on March 4, 1981, to the title page of the resolution.

Senator Hester asked and received unanimous consent that amendment S—3123, previously withdrawn, be eligible for further consideration of the Senate.

Senator Deluhery asked and received unanimous consent that action on **Senate Joint Resolution 10** be deferred.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 332.

Senate File 332

On motion of Senator Schwengels, Senate File 332, a bill for an act relating to the office of appellate defender, was taken up for consideration.

Senator Schwengels moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 332) the vote was:

Ayes, 43:

Anderson	Baugher	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman

Husak	Hutchins	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Jensen

Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

President pro tempore Ramsey took the chair at 10:15 a.m.

House File 73

On motion of Senator Vande Hoef, House File 73, a bill for an act relating to repairs and improvements in drainage and levee districts, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 73) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Murray	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Miller, C.P.

Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

House File 430

On motion of Senator Taylor, House File 430, a bill for an act eliminating the requirement that spouses execute the same joint instrument to convey the homestead, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 430) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

Senate File 235

On motion of Senator Kinley, Senate File 235, a bill for an act to prohibit the possession and operation of a radar jamming device and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—3130 filed by the committee on Judiciary on March 4, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3130 was adopted by a voice vote.

Senator Kinley moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 235) the vote was:

Ayes, 40:

Baughner	Bisenius	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Drake	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Ramsey
Readeringer	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Yenger

Nays, 4:

Anderson	Doyle	Gallagher	Van Gilst
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Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

BUSINESS PENDING

Senate File 325

The Senate resumed consideration of Senate File 325, previously deferred.

Senator Small offered amendment S—3182 filed by Senators Small and Craft from the floor to page 1 of the bill and moved its adoption.

Amendment S—3182 was adopted by a voice vote.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 325) the vote was:

Ayes, 42:

Anderson	Baugher	Bisenius	Brown
Carney	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Gallagher	Gentleman	Goodwin	Hester
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 2:

Craft	Holden
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Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

Senate Joint Resolution 10

The Senate resumed consideration of Senate Joint Resolution 10, previously deferred.

Senator Hester moved the adoption of amendment S—3123 to the title page of the resolution.

Amendment S—3123 was adopted by a voice vote.

Senator Deluhery offered amendment S—3183 filed by him from the floor to page 1 of the resolution.

President Branstad took the chair at 11:00 a.m.

Senator Coleman raised the point of order that amendment S—3123 struck the enacting clause of the resolution.

The Chair ruled the point well taken.

Senator Deluhery moved the adoption of amendment S—3183, which motion prevailed by a voice vote.

Senator Hester moved to reconsider the vote by which amendment S—3123 was adopted by the Senate on March 13, 1981.

The motion prevailed by a voice vote and amendment S—3123 was taken up for reconsideration.

Senator Hester withdrew amendment S—3123 to the title page of the resolution.

Senator Hultman asked and received unanimous consent that action on **Senate Joint Resolution 10** be **deferred**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 220.

Senate File 220

On motion of Senator Coleman, Senate File 220, a bill for an act prohibiting the revoking of an anatomical gift by a person other than the donor, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 220) the vote was:

Ayes, 43:

Anderson	Baugher	Bisenius	Brown
Carney	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Craft

Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

BUSINESS PENDING

Senate Joint Resolution 10

The Senate resumed consideration of Senate Joint Resolution 10, previously deferred.

Senator Hester offered amendment S—3184 filed by him from the floor to page 1 and the title page of the resolution and moved its adoption.

Amendment S—3184 was adopted by a voice vote.

Senator Hester moved that the resolution be read the last time now, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution pass?" (S.J.R. 10) the vote was:

Ayes, 43:

Baugher	Bisenius	Brown	Carney
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Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Anderson	Briles	Dreeszen	Gratias
Nystrom	Palmer	Priebe	

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

WITHDRAWN

Senator Miller of Des Moines asked and received unanimous consent that **Senate File 357** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 358

On motion of Senator DeKoster, Senate File 358, a bill for an act relating to exemption from the Iowa uniform securities Act for cooperative associations, cooperative housing corporations, and mutual or cooperative organizations, was taken up for consideration.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 358) the vote was:

Ayes, 40:

Anderson	Baughner	Bisenius	Brown
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Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Yenger

Nays, 2:

Gallagher Small

Absent or not voting, 8:

Briles	Comito	Dreeszen	Gratias
Nystrom	Palmer	Priebe	Van Gilst

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

Senate File 362

On motion of Senator Holden, Senate File 362, a bill for an act relating to the state sales, services and use tax by allowing retailers to provide their own tax exemption certificate, by requiring payments of use taxes to be applied first to accrued penalty and interest and by making corrective changes, was taken up for consideration.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 362) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater

Small
Van Gilst

Taylor
Waldstein

Tieden
Wells

Vande Hoef
Yenger

Nays, none.

Absent or not voting, 6:

Briles
Palmer

Dreeszen
Priebe

Gratias

Nystrom

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

Senator Hultman asked and received unanimous consent to take up out of order Senate File 213.

Senate File 213

On motion of Senator Drake, Senate File 213, a bill for an act relating to the members of the Iowa beer and liquor control council, with report of committee on State Government recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that action of **Senate File 213** be **deferred**.

BUSINESS PENDING

House File 348

The Senate resumed consideration of House File 348, previously deferred.

Senator Junkins asked unanimous consent that action on House File 348 be deferred.

Senator Junkins withdrew his request.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 348) the vote was:

Ayes, 38:

Anderson

Baughner

Brown

Carney

Carr	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Gallagher
Gentleman	Goodwin	Hester	Holden
Hulse	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Ramsey	Readinger	Rodgers
Rush	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 2:

Husak	Lura
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Voting present, 4:

Bisenius	Coleman	Hultman	Schwengels
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Absent or not voting, 6:

Briles	Dreeszen	Gratias	Nystrom
Palmer	Priebe		

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

WITHDRAWN

Senator Drake asked and received unanimous consent that **Senate File 295** be withdrawn from further consideration of the Senate.

INTRODUCTION OF BILLS

Senate File 413, by Brown, a bill for an act abolishing the office for planning and programming and reassigning certain duties to certain agencies.

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

Senate File 414, by Anderson, Drake, Yenger, Wells, Doyle, Schwengels and Readinger, a bill for an act to provide for the purchase by certain state agencies of motor vehicles manufactured in this country which meet certain fuel efficiency requirements.

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

Senate File 415, by Doyle and Carney, a bill for an act to provide increased retirement benefits and contributions under the Iowa public employees' retirement system for certain district associate judges and judicial magistrates.

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

Senate File 416, by Doyle, a bill for an act to allow a state individual income tax deduction for expenses incurred by a taxpayer in participating in olympic competition sanctioned by the United States olympic committee and providing a January 1 effective date.

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

Senate File 417, by Miller of Des Moines, a bill for an act providing an alternative to the burial of deceased persons at county expense.

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

Senate File 418, by Miller of Des Moines, a bill for an act relating to a written appearance pursuant to a uniform citation and complaint.

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

Senate File 419, by Committee on Commerce, a bill for an act requiring the commissioner of insurance to adopt rules relating to minimum standards for group medicare supplement contracts that are consistent with rules adopted with respect to individual medicare supplement contracts.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 27, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Sara Wissing, Davenport, Scott County, Iowa, for appointment as a member of the State Health Facilities Council pursuant to Section 135.62, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 10, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Bonetta Jean Culp, Waterloo, Black Hawk County, Iowa, for appointment as a member of the State Judicial Nominating Commission pursuant to Section 46.1, 1981 Code of Iowa, for an unexpired portion of a term ending April 30, 1981, and for a term beginning May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of John Robert Miller, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the State Soil Conservation Committee pursuant to Section 467A.4, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 11, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Norman L. Pawlewski, Des Moines, Polk County, Iowa, for reappointment as Commissioner of Public Health pursuant to Section 135.2, 1981 Code of Iowa for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Gene Wiese, Manning, Carroll County, Iowa, for appointment as a member of the Iowa Natural Resources Council pursuant to Section 455A.4, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Walter Roettger, West Des Moines, Polk County, Iowa, for appointment as a member of the Merit Employment Commission pursuant to Section 19A.6, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

**Communications were read and referred to the committee on
Rules and Administration.**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 314

Agriculture
Taylor, Chairperson
Hulse
Hutchins

SENATE FILE 321

Agriculture
Taylor, Chairperson
Hulse
A. Miller

SENATE FILE 327

Cities
Holden, Chairperson
Readinger
Wells

SENATE FILE 335

Commerce
Jensen, Chairperson
Comito
Husak

SENATE FILE 338

Education
Wells, Chairperson
Brown
Taylor

SENATE FILE 340

Judiciary
Kudart, Chairperson
Doyle
Rush

SENATE FILE 344

Transportation
Comito, Chairperson
A. Miller
Bisenius

SENATE FILE 346

Human Resources
Gratias, Chairperson

SENATE FILE 318

Transportation
Drake, Chairperson
Jensen
Coleman

SENATE FILE 326

County Government
Waldstein, Chairperson
C. Miller
Briles

SENATE FILE 333

Natural Resources
Van Gilst, Chairperson
Hutchins
Schwengels

SENATE FILE 336

County Government
Vande Hoef, Chairperson
Brown
Hester

SENATE FILE 339

State Government
Lura, Chairperson
Schwengels
C. Miller

SENATE FILE 341

Transportation
Jensen, Chairperson
Drake
Coleman

SENATE FILE 345

State Government
Lura, Chairperson
Schwengels
C. Miller

SENATE FILE 347

Ways and Means
Lura, Chairperson

C. Miller
Drake

SENATE FILE 349

Judiciary
Doyle, Chairperson
Kudart
Coleman

SENATE FILE 351

Judiciary
Small, Chairperson
Ramsey
Taylor

SENATE FILE 353

Energy
Gallagher, Chairperson
Bisenius
Readinger

SENATE FILE 359

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 361

Ways and Means
Readinger, Chairperson
Rodgers
Craft

SENATE FILE 365

Commerce
Holden, Chairperson
DeKoster
Husak

SENATE FILE 370

State Government
Craft, Chairperson
Schwengels
Palmer

Palmer
Readinger
Van Gilst
Taylor

SENATE FILE 350

Natural Resources
Tieden, Chairperson
Rodgers
Schwengels

SENATE FILE 352

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 356

Judiciary
Baugher, Chairperson
Deluhery
Murray

SENATE FILE 360

County Government
Goodwin, Chairperson
Wells
Vande Hoef

SENATE FILE 364

County Government
Goodwin, Chairperson
Yenger
Wells

SENATE FILE 366

Commerce
Jensen, Chairperson
Comito
Deluhery

SENATE FILE 373

Energy
Readinger, Chairperson
Briles
Gallagher

SENATE RESOLUTION 10

Rules and Administration
Holden, Chairperson
Hulse
Kinley

HOUSE FILE 47

Transportation
Drake, Chairperson
Jensen
Coleman

HOUSE FILE 304

Energy
Kudart, Chairperson
Readinger
Rodgers

HOUSE FILE 438

Commerce
DeKoster, Chairperson
Comito
Priebe

SSB 313

County Government
Waldstein, Chairperson
Hester
Brown

SSB 318

County Government
Goodwin, Chairperson
Vande Hoef
Wells

SSB 324

Ways and Means
Taylor, Chairperson
Lura
Palmer

SSB 327

State Government
Schwengels, Chairperson
Craft
Slater

SSB 329

Ways and Means

HOUSE FILE 8

Judiciary
Kudart, Chairperson
Small
Ramsey

HOUSE FILE 143

Education
DeKoster, Chairperson
Small
Taylor

HOUSE FILE 386

Judiciary
Baugher, Chairperson
Kudart
Doyle

**HOUSE CONCURRENT
RESOLUTION 8**

Rules and Administration
Junkins, Chairperson
Ramsey
Holden

SSB 314

Transportation
Jensen, Chairperson
Doyle
Drake

SSB 323

Natural Resources
Gallagher, Chairperson
Tieden
Schwengels

SSB 326

Ways and Means
Rush, Chairperson
Taylor
Readinger

SSB 328

County Government
C. Miller, Chairperson
Hester
Waldstein

SSB 330

Energy

Priebe, Chairperson
Holden
Taylor

Bisenius, Chairperson
Ramsey
Gallagher
Kudart
Rodgers

SSB 331

County Government
Wells, Chairperson
Briles
Brown

SSB 332

Commerce
DeKoster, Chairperson
Craft
Rush

The following special Appropriations subcommittee for the Criminal Justice Improvement Fund has been appointed:

Forrest V. Schwengels, Chairperson
Stephen W. Bisenius
Bob Rush

BILLS ASSIGNED TO COMMITTEE

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

S. R.	11	Rules and Administration
S. J. R.	12	State Government
S. F.	405	Ways and Means
S. F.	406	Judiciary
S. F.	407	Education
S. F.	410	State Government

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the vote was taken on Senate Joint Resolution 10.

Had I been present, I would have voted "aye".

TED ANDERSON

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 235 passed the Senate on March 13, 1981.

JOHN W. JENSEN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 235 passed the Senate on March 13, 1981.

SUE YENGER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 235 passed the Senate on March 13, 1981.

ALVIN V. MILLER

REPORT OF INVESTIGATING COMMITTEE
(Place Nominee on En Bloc Confirmation Calendar)

Pursuant To Senate Rule 58, the Committee on Labor and Industrial Relations assigned to investigate the character and qualifications of Allen J. Meier, Cedar Rapids, Linn County, Iowa, for reappointment as Labor Commissioner under the provisions of Section 91.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS
MERLIN D. HULSE, Chairperson

FURTHER
REPORT OF COMMITTEE MEETING

COMMERCE*

*A previous report of this meeting was recorded on page 732 of the Senate Journal.

Final Bill Action: Senate File 419, a bill for an act requiring the commissioner of insurance to adopt rules relating to minimum standards for group medicare supplement contracts that are consistent with rules adopted with respect to individual medicare supplement contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Holden, Baugher, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 13, 1981, 8:15 a.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson (arrived 8:29 a.m.); Deluhery, Ranking Member; Craft, DeKoster, Husak and Jensen.

Members Absent: Comito, Priebe (excused) and Rush.

Final Bill Action: Senate File 244, a bill for an act relating to mortgage loan disclosure, reporting, and record-keeping.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Holden, Baugher, Craft, DeKoster, Husak and Jensen. Nays, 1: Deluhery. Absent or not voting, 3: Comito, Priebe and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 438, a bill for an act relating to laws which restrict the receipt of gifts by employees of the department of banking.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Holden, Baugher, Deluhery, Craft, DeKoster, Husak and Jensen. Nays, none. Absent or not voting, 3: Comito, Priebe and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved SSB 57 as a committee bill; discussed SSB 278.

Adjourned: 9:05 a.m.

JUDICIARY

Convened: March 12, 1981, 4:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Dreeszen, Lura, Small, Taylor, Murray (arrived 4:30 p.m.) and Doyle (arrived 4:45 p.m.).

Members Absent: Coleman, Deluhery and Ramsey.

Final Bill Action: Senate File 412, a bill act amending the mechanic's lien statute to limit the enforceability of the lien of a subcontractor to the amount owing to the contractor at the time notice of the lien is given to the property owner by the subcontractor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: DeKoster, Kudart, Rush, Baugher, Carr, Dreeszen, Lura, Small and Taylor. Nays, none. Absent or not voting, 5: Coleman, DeLuhery, Doyle, Murray and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved SSBs 51, 55 and 130 as committee bills.

Adjourned: 5:00 p.m.

STATE GOVERNMENT

Convened: March 12, 1981, 3:10 p.m.

Members Present: Lura, Vice Chairperson; Slater, Ranking Member; Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, Schwengels and Tieden.

Members Absent: Nystrom, Chairperson (excused); Briles (excused), C. Miller (excused) and Palmer.

Final Bill Action: Senate File 41, a bill for an act to repeal the requirement that the board of accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lura, Slater, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, Schwengels and Tieden. Nays, none. Absent or not voting, 4: Nystrom, Briles, C. Miller and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 123, a bill for an act relating to the types and form of administrative rules to be promulgated, the rights of the public to participate in the rule-making process, and the powers of the governor, the administrative rules review committee, and the attorney general in reviewing that process.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lura, Slater, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, Schwengels and Tieden. Nays, none. Absent or not voting, 4: Nystrom, Briles, C. Miller and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved SSB 277 as a committee bill.

Adjourned: 3:40 p.m.

PRESENTATION OF VISITORS

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

Fifteen students from Deep River-Millersburg Elementary School, Deep River, Iowa, accompanied by Coreen Tandy. Senator Husak.

Seventy students from Sheldahl Elementary School, Sheldahl, Iowa, accompanied by Mary McKinney. Senator Murray.

Members of the Girl's State Tournament Basketball Team from Sumner Community High School, Sumner, Iowa, accompanied by Otis L. Roby. Senator Jensen.

Members of the Girl's State Tournament Basketball Team from Assumption High School, Davenport, Iowa, accompanied by Pat Houlahan, Theresa Walatka, Carl Burmester and Brenda McGurk. Senator Deluhery.

AMENDMENTS FILED

S—3182	S. F.	325	Arthur A. Small, Jr. Rolf V. Craft
S—3183	S. J. R.	10	Patrick J. Deluhery
S—3184	S. J. R.	10	Jack W. Hester
S—3185	S. F.	374	C.W. Bill Hutchins

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 12:20 p.m., until 10:00 a.m., Monday, March 16, 1981.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 16, 1981

The Senate met in regular session at 10:05 a.m., President Branstad presiding.

Prayer was offered by Reverend Lawrence Burns, pastor of the Christ the King Catholic Church, Des Moines, Iowa.

The Journal of Friday, March 13, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dennis Murphy, M.D., Sheldon, Iowa.

SPECIAL PRESENTATIONS

President Branstad welcomed several Iowa veterans of the Vietnam Conflict who were present in the Senate chamber to be honored in a special ceremony for their services and sacrifices to the United States in Vietnam.

Those veterans appearing in the well of the Senate were: Jim Quinlan, West Branch; Harry (Bill) Donald, Corydon; Neil Richards, Vinton; Keith Heinse, Merville; Dave Katsumes, Elgin; Galen Gohlman, Lost Nation; Terry Kruse, Lone Tree; Harold Hagamann, Boone; Gerald A. Houston, Dunlap; Robert Haltuman, Norwalk; Glen Signs, Des Moines and Clyde Keith, Des Moines.

President Branstad presented each veteran with an enrolled copy of Senate Concurrent Resolution 12, duly adopted by the Senate and House of Representatives, designating March 16, 1981, as a special day for Iowans to join together and remember and show gratitude to those who represented the United States in Vietnam.

The Senate rose in applause to express their appreciation.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Comito and Nystrom for the day on request of Senator Hultman.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 27, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Margaret Anderson, Bettendorf, Scott County, Iowa, for appointment as a member of the State Board of Regents pursuant to Section 262.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of John C. McDonald, Dallas Center, Dallas County, Iowa, for appointment as a member of the State Board of Regents pursuant to Section 262.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 10, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Eldon Meyers, Mason City, Cerro Gordo County, Iowa, for appointment as a member of the Advisory Investment Board (IPERS) pursuant to Section 97B.8, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Joseph B. Trecek, Jr., Cedar Rapids, Linn County, Iowa, for appointment as a member of the Advisory Investment Board (IPERS) pursuant to Section 97B.8, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of R.B. Tuberty, O.D., Mount Vernon, Linn County, Iowa, for appointment as a member of the State Board of Optometry Examiners pursuant to Section 147.14(6), 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1984.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Jane LaVaun LaGrange, Vinton, Benton County, Iowa, for appointment as a member of the State Soil Conservation Committee pursuant to Section 467A.4, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 11, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Jan Christensen, Northboro, Page County, Iowa, for appointment as a member of the State Judicial Nominating Commission pursuant to Section 46.1, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Darrel Rensink, Sioux Center, Sioux County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Section 307.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Dennis W. Voy, Maquoketa, Jackson County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Section 307.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 12, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Daniel E. Cahill, Burlington, Des Moines County, Iowa, for appointment as a member of the Iowa Beer and Liquor Control Council pursuant to Section 123.5, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 13, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of William C. Cribbs, Waterloo, Black Hawk County, Iowa, for appointment as a

member of the Iowa Board of Parole pursuant to Section 904.2, 1981 Code of Iowa, for an unexpired portion of a term ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Richard F. Nazette, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa Board of Parole pursuant to Section 904.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1986.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Forrest J. Mitchell, Grinnell, Poweshiek County, Iowa, for appointment as a member of the State Judicial Nominating Commission pursuant to Section 46.1, 1981 Code of Iowa, for an unexpired portion of a term ending April 30, 1985.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

March 14, 1981

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of June Murphy, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Regents pursuant to Section 262.3, 1981 Code of Iowa, for a term commencing May 1, 1981, and ending April 30, 1987.

Sincerely,
ROBERT D. RAY
Governor

ALSO:

Dear Ms. Mackay:

It is my pleasure to submit to the Senate for their consideration the name of Fred W. Nolting, Waterloo, Black Hawk County, Iowa, for appointment as a member of the State Board of Regents pursuant to Section 262.3, 1981 Code of Iowa, for an unexpired portion of a term ending April 30, 1983.

Sincerely,
ROBERT D. RAY
Governor

Communications were read and referred to the committee on **Rules and Administration**.

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 11, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 200, a bill for an act relating to the calendar of prisoners in the county jail or detention facility.

ALSO: That the House has on March 11, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 737, a bill for an act including life cycle cost and energy efficiency as criteria to be used in developing state purchasing standards and specifications for energy consuming products.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 737, a bill for an act including life cycle costs and energy efficiency as criteria to be used in developing state purchasing standards and specifications for energy consuming products.

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

INTRODUCTION OF BILLS

Senate File 420, by Committee on Energy, a bill for an act relating to the siting of hazardous waste treatment, storage and

disposal facilities, providing penalties and imposing a surcharge on the fee for land burial of hazardous waste.

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

Senate File 421, by Schwengels, a bill for an act relating to the duties of assessors.

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

Senate File 422, by Bisenius, a bill for an act requiring competitive bids on contracts to perform city services.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 320.

Senate File 320

On motion of Senator Gratias, Senate File 320, a bill for an act relating to the performance of audiometric examinations under the Iowa occupational hearing loss Act, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

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

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Comito Nystrom

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

Senator Hultman asked and received unanimous consent to take up out of order Senate File 284.

Senate File 284

On motion of Senator DeKoster, Senate File 284, a bill for an act striking the provision which prohibits a telephone company from imposing a charge for directory assistance, was taken up for consideration.

Senator Rush offered amendment S—3099 filed by him on February 26, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3099 was adopted by a voice vote.

Senator Slater offered amendment S—3157 filed by Senators Slater and Carr on March 10, 1981, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3157 be adopted?" (S.F. 284) the vote was:

Ayes, 29:

Anderson	Bisenius	Brown	Carr
Coleman	Deluhery	Doyle	Drake
Dreeszen	Gentleman	Gratias	Hester
Hutchins	Jensen	Junkins	Kinley
Lura	Miller, C.P.	Murray	Palmer
Priebe	Rodgers	Schwengels	Slater
Small	Van Gilst	Waldstein	Wells
Yenger			

Nays, 19:

Baughner	Briles	Carney	Craft
DeKoster	Gallagher	Goodwin	Holden

Hulse	Hultman	Husak	Kudart
Miller, A.V.	Ramsey	Readinger	Rush
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Comito Nystrom

Amendment S—3157 was adopted.

(Senate File 284 pending on recess).

RECESS

On motion of Senator Hultman, the Senate recessed at 11:53 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:10 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 6, 1981)

Senate File 324

The Senate resumed consideration of Senate File 324, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty, deferred on March 6, 1981.

Senator Hutchins asked and received unanimous consent to reconsider the votes by which divisions S—3135B, S—3135C and S—3135D of the amendment were adopted by the Senate on March 6, 1981.

Senator Hutchins asked and received unanimous consent to withdraw divisions S—3135B, S—3135C and S—3135D of the amendment.

Senator Hutchins offered amendment S—3163 filed by Senators Hutchins and Comito on March 11, 1981, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3163 was adopted by a voice vote.

Senator Holden offered amendment S—3192 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3192 be adopted?" (S.F. 324) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Briles	Carney	Comito	Craft
DeKoster	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Jensen	Kudart
Lura	Murray	Ramsey	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 22:

Anderson	Baugher	Brown	Carr
Coleman	Deluhery	Doyle	Gallagher
Husak	Hutchins	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Palmer	Readinger
Rush	Slater	Small	Van Gilst
Wells	Yenger		

Voting present, 1:

Bisenius

Absent or not voting, 3:

Nystrom	Priebe	Rodgers
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Amendment S—3192 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the afternoon session on request of Senator Junkins.

BUSINESS PENDING

Senate File 324

The Senate resumed consideration of Senate File 324.

Senator Hutchins asked and received unanimous consent that action on **Senate File 324** be **deferred** for preparation of a fiscal note.

Senate File 284

The Senate resumed consideration of Senate File 284, pending on recess.

Senator Coleman asked and received unanimous consent to withdraw amendment S—3189 filed by Senators Coleman and Brown from the floor to page 1 of the bill.

Senator Coleman asked and received unanimous consent to withdraw amendment S—3190 filed by Senators Coleman and Brown from the floor to page 1 of the bill.

Senator Lura filed the following motion to reconsider from the floor:

MR. PRESIDENT: I moved to reconsider the vote by which amendment S—3157 to Senate File 284 was adopted by the Senate on March 16, 1981.

Senator Kinley asked and received unanimous consent that action on **Senate File 284** and the motion to reconsider amendment S—3157 be **deferred**.

MOTION TO RECONSIDER CONSIDERED

Senate File 199

Senator Ramsey called up the motion to reconsider Senate File 199 filed by him on February 16, 1981, and found on page 475 of the Senate Journal.

Senator Miller of Des Moines asked and received unanimous consent that action on the motion to reconsider Senate File 199 be **deferred**.

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 12, 1981, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 12, a resolution establishing a symbol in memory of those Americans who served in Vietnam.

PAT H. HARPER, Chief Clerk

INTRODUCTION OF BILLS

Senate File 423, by Committee on Commerce, a bill for an act establishing definitions and rules of construction to be applied in connection with the interpretation of laws relating to real property loans.

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

Senate File 424, by Palmer and Baugher, a bill for an act allowing the purchase of warning devices by a township to protect its citizens.

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

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 13, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 58—Amending a provision of the Iowa Consumer Credit Code to allow short-term loans to be repayable in full at the the end of the loan term.

S.F. 86—Relating to the uses of unencumbered funds in the schoolhouse fund collected under the levy provided in Section 297.5 prior to July 1, 1981.

S.F. 112—Relating to the accounting for pay periods, effective upon publication.

S.F. 147—To eliminate the requirement of publication of a synopsis of the annual report of insurance companies doing business in this state.

S.F. 201—Relating to the conditions and limitations applicable to investments by life insurance companies and associations in indebtedness secured by interests in real property.

H.F. 232—Relating to the funding of specified programs of the Department of Social Services during the fiscal year beginning July 1, 1980 and ending June 30, 1981, and providing effective dates.

H.F. 282—Authorizing the performance of marriage ceremonies by Court of Appeals Judges.

H.F. 398—Relating to the funding of the operations of the utilities division of the Iowa State Commerce Commission.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the vote was taken on Senate Joint Resolution 10.

Had I been present, I would have voted "aye".

ELVIE DREESZEN

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 58, the following Senators were appointed to subcommittees of standing committees:

HUMAN RESOURCES: As Director of the Iowa Department of Substance Abuse:

GARY P. RIEDMANN
Yenger, Chairperson
Slater
Hulse

JUDICIARY: As a member of the Iowa Crime Commission:

CALVIN AUGER
Baugher, Chairperson
Carr
Doyle

JUDICIARY: As a member of the Iowa Crime Commission:

THOMAS E. MARTIN
Doyle, Chairperson
Ramsey
Taylor

JUDICIARY: As a member of the Iowa Crime Commission:

WILLIAM J. O'BRIEN
Murray, Chairperson
Coleman
Small

STUDY BILLS RECEIVED

S.S.B. 341 Ways and Means

Providing for the assessment and taxation of waterworks, gasworks, electric light or power, telegraph, telephone, electric transmission line and pipeline companies.

S.S.B. 342 County Government

Relating to the conveyance of county property to the federal government.

S.S.B. 343 County Government

Excluding temporary state employees from paid holidays.

S.S.B. 344 Judiciary

To expand small claims jurisdiction to include actions of replevin

involving property that has a value of \$1,000 or less.

S.S.B. 345 Judiciary

Legalization of certain city waterworks.

S.S.B. 346 State Government

To allow a class "A" beer permittee to also hold a class "B" beer permit.

S.S.B. 347 County Government

Authorizing counties to act as intervenors in rate or service change proceedings before the Iowa state commerce commission.

S.S.B. 348 Ways and Means

To require insurance companies to pay their premium taxes quarterly.

S.S.B. 349 Human Resources

Relating to inspections of beauty salons and barber shops, effective upon publication.

BILLS ASSIGNED TO COMMITTEE

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

S. C.R.	13	Rules and Administration
S. F.	411	Transportation
S. F.	413	State Government
S. F.	414	Transportation
S. F.	415	State Government
S. F.	416	Ways and Means
S. F.	417	Human Resources
S. F.	418	Judiciary

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to **standing committees** for investigation on March 16, 1981:

Iowa Crime Commission—Calvin Auger—Judiciary.

Iowa Crime Commission—Thomas E. Martin—Judiciary.

Iowa Crime Commission—William J. O'Brien—Judiciary.

Director of the Iowa Department of Substance Abuse—Gary P. Riedmann—Human Resources.

CALVIN O. HULTMAN, Chairperson

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following Governor's appointments on the **En Bloc Confirmation Calendar** on March 16, 1981, and recommended the appointments be confirmed:

State Board of Optometry Examiners—John A. Gazaway, O.D.

State Board of Examiners for Nursing Home Administrators—Elbert Maricle

State Board of Tax Review—Richard Peebler

Council on Social Services—Dolph Pulliam

State Board of Pharmacy Examiners—Gale W. Stapp

Board of Watchmaking Examiners—James Williams

CALVIN O. HULTMAN, Chairperson

FURTHER
REPORT OF COMMITTEE MEETING

COMMERCE*

*A previous report of this meeting was recorded on page 796 of the Senate Journal.

Final Bill Action: Senate File 423, a bill for an act establishing definitions and rules of construction to be applied in connection with the interpretation of laws relating to real property loans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Holden, Deluhery, Craft, DeKoster, Husak and Jensen. Nays, none. Absent or not voting, 4: Baugher, Comito, Priebe and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

CITIES

Convened: March 16, 1981, 9:35 a.m.

Members Present: Readinger, Chairperson; Carney, Holden, Kinley and Slater.

Members Absent: Comito, Vice Chairperson (excused); A. Miller, Ranking Member (excused); Waldstein and Wells.

Final Bill Action: Senate File 281, a bill for an act authorizing cities to enter agreements to jointly invest public funds.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Readinger, Carney, Holden, Kinley and Slater. Nays, none. Absent or not voting, 4: A. Miller, Comito, Waldstein and Wells.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned Senate File 354 to subcommittee; presentations from: Mike Dugan, Council Bluffs Chamber of Commerce; Gary Carlson, Principal Planner, Council Bluffs; and Terry Timmins, City Attorney, Council Bluffs.

Adjourned: 10:00 a.m.

COMMERCE

Convened: March 16, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, Craft, DeKoster, Husak, Jensen and Rush.

Members Absent: Priebe (excused).

Final Bill Action: Senate File 254, a bill for an act to require state depository financial institutions to give written disclosure of all transactions on mortgage loan escrow accounts.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Holden, Baugher, Deluhery, Comito, Craft, DeKoster, Husak, Jensen and Rush. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 296, a bill for an act relating to permissible loans and real property purchases by a life insurance company.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Holden, Baugher, Deluhery, Comito, Craft, DeKoster, Husak, Jensen and Rush. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved SSB 278 as a committee bill; discussed Senate File 256.

Adjourned: 4:00 p.m.

ENERGY

Convened: March 13, 1981, 8:16 a.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Doyle, Kudart, Readinger (arrived 8:28 a.m.), Rodgers and Yenger.

Members Absent: Briles.

Final Bill Action: Senate File 420, a bill for an act relating to the siting of hazardous waste treatment, storage and disposal facilities, providing penalties and imposing a surcharge on the fee for land burial of hazardous waste.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Ramsey, Bisenius, Gallagher, Anderson, Doyle, Kudart, Readinger, Rodgers and Yenger. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned Senate File 373 to subcommittee.

Adjourned: 9:15 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 13, 1981, 8:35 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Goodwin, Kinley and Wells.

Members Absent: Brown, Gratias (excused), Hultman and Anderson, Ranking Member (excused).

Other Committee Business: Assigned bills and study bills to subcommittees; recommended Governor's appointee for confirmation.

Adjourned: 8:40 a.m.

STATE GOVERNMENT

Convened: March 16, 1981, 1:33 p.m.

Members Present: Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer and Schwengels.

Members Absent: Nystrom, Chairperson (excused) and Tieden.

Final Bill Action: House File 413, a bill for an act relating to the fee collected for copies of records by the department of health.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3193.

Final Vote: Ayes, 10: Lura, Slater, Briles, Carr, Drake, Gentleman, Hutchins, C. Miller, Palmer and Schwengels. Nays, 2: Gallagher and Craft. Absent or not voting, 2: Nystrom and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; SSBs 94, 340 and 346 approved as committee bills; discussed and deferred action on Senate File 355; discussed SSB 327.

Adjourned: 2:26 p.m.

PRESENTATION OF VISITORS

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

Twenty-five students, members of the Cub Scouts, Pack 47, from Burt, Iowa, accompanied by David Stiltz. Senator Priebe.

Sixty students from Crestview Elementary School, West Des Moines, Iowa, accompanied by Marcia Vukovich. Senator Gentleman.

PETITIONS

The following petitions were presented and placed on file by:

Senator Bisenius from ten residents of Dubuque County endorsing the sale of certified raw milk.

Senator Husak from twelve residents of Poweshiek County favoring legislation increasing the dollar amount which may be levied for Extension budgets and opposing the Board of Supervisors authority to approve or disapprove the budget.

AMENDMENTS FILED

S—3186	S. F.	374	C.W. Bill Hutchins
S—3187	S. F.	404	Donald V. Doyle
S—3188	S. F.	28	Arthur A. Small, Jr.
S—3189	S. F.	284	C. Joseph Coleman Joe Brown
S—3190	S. F.	284	C. Joseph Coleman Joe Brown
S—3191	S. F.	48	Edgar H. Holden Rolf V. Craft Donald V. Doyle
S—3192	S. F.	324	Edgar H. Holden
S—3193	H.F.	413	State Government Committee
S—3194	S. F.	374	A.R. (Bud) Kudart
S—3195	H.F.	53	Bass Van Gilst C.W. Bill Hutchins Merlin D. Hulse John W. Jensen Norman J. Goodwin George R. Kinley
S—3196	S. F.	374	Edgar H. Holden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:15 p.m., until 9:00 a.m., Tuesday, March 17, 1981.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 17, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Lynn Groe, pastor of the St. John Lutheran Church, Plainfield, Iowa.

The Journal of Monday, March 16, 1981, was approved.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 12, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 172, a bill for an act to establish short term liquor licenses and beer permits.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 228, a bill for an act repealing a requirement for transference of certain male prisoners.

ALSO: That the House has on March 16, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 305, a bill for an act relating to the reduction, reversion, and allocation of funds previously appropriated by the general assembly and providing a publication clause.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 160, a bill for an act to repeal the requirement that the board of accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 164, a bill for an act to authorize the state department of transportation to transfer unused right of way by quit claim deed to a county for the use and benefit of the county conservation board.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 371, a bill for an act relating to the prohibition of open burning under certain conditions and providing a penalty.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 372, a bill for an act relating to the amount of the surety bond required of mobile home dealers.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 466, a bill for an act relating to the creation of conservancy district wards.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 469, a bill for an act relating to the audit and certification of claims for the personal property tax credit.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 547, a bill for an act relating to permissible loans and real property purchases by a life insurance company.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 642, a bill for an act relating to boiler inspections.

ALSO: That the House has on March 12, 1981, passed (with amendment H—3210 to page 1 adopted) the following bill in which the concurrence of the Senate is asked:

House File 724, a bill for an act to modify the requirement that boards of directors of districts proposing to issue general obligation bonds for school building construction or renovation must hold a meeting with the area education agency boards.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 726, a bill for an act relating to nonconforming facilities under the state elevator code.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 727, a bill for an act to allow the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 728, a bill for an act relating to the movement of mobile homes and factory-built structures with a width not exceeding sixteen feet under permit.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 729, a bill for an act to extend the temporary operating authority to forty-five days for commercial vehicles.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 730, a bill for an act exempting certain security information of adult correctional institutions from public disclosure.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 731, a bill for an act relating to the criminal investigative data, criminal history data, intelligence data, and the confidentiality of peace officers' investigative reports.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 734, a bill for an act establishing the rate of interest payable on delinquent taxes owed to the state.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 736, a bill for an act relating to the offense of false use of a financial instrument and the penalties for that offense.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 739, a bill for an act relating to the intestate succession rights of adopted persons, their natural parents, and adoptive parents.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 740, a bill for an act to increase the fee for a duplicate registration card, plate, or pair of plates and form of restricted certificates of title.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 741, a bill for an act relating to the payment of costs in certain civil and administrative actions to which the state is a party.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 742, a bill for an act relating to the rights of foster parents concerning a termination of parental rights hearing involving their foster child.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 160, a bill for an act to repeal the requirement that the board of accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them.

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

House File 164, a bill for an act to authorize the state department of transportation to transfer unused right of way by quit claim deed to a county for the use and benefit of the county conservation board.

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

House File 371, a bill for an act relating to the prohibition of open burning under certain conditions and providing a penalty.

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

House File 372, a bill for an act relating to the amount of the surety bond required of mobile home dealers.

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

House File 466, a bill for an act relating to the creation of conservancy district wards.

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

House File 469, a bill for an act relating to the audit and certification of claims for the personal property tax credit.

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

House File 547, a bill for an act relating to permissible loans and real property purchases by a life insurance company.

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

House File 642, a bill for an act relating to boiler inspections.

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

House File 724, a bill for act to modify the requirement that boards of directors of districts proposing to issue general obligation bonds for school building construction or renovation must hold a meeting with the area education agency boards and boards of adjoining school districts.

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

House File 726, a bill for an act relating to nonconforming facilities under the state elevator code.

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

House File 727, a bill for an act to allow the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits.

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

House File 728, a bill for an act relating to the movement of mobile homes and factory-built structures with a width not exceeding sixteen feet under permit.

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

House File 729, a bill for an act to extend the temporary operating authority to forty-five days for commercial vehicles.

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

House File 730, a bill for an act exempting certain security information of adult correctional institutions from public disclosure.

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

House File 731, a bill for an act relating to criminal investigative data, criminal history data, intelligence data, and the confidentiality of peace officers' investigative reports.

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

House File 734, a bill for an act establishing the rate of interest payable on delinquent taxes owed to the state.

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

House File 736, a bill for an act relating to the offense of false use of a financial instrument and the penalties for that offense.

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

House File 739, a bill for an act relating to the intestate succession rights of adopted persons, their natural parents, and adoptive parents.

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

House File 740, a bill for an act to increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title.

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

House File 741, a bill for an act relating to the payment of costs in certain civil and administrative actions to which the state is a party.

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

House File 742, a bill for an act relating to the rights of foster parents concerning a termination of parental rights hearing involving their foster child.

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

HOUSE AMENDMENT TO SENATE FILE 172

S—3197

- 1 Amend Senate File 172 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 1, by striking lines 10 through 35.
4 2. Page 2, by striking lines 1 through 7 and
5 inserting in lieu thereof the following:
6 "123.34 EXPIRATION—SEASONAL LICENSE OR PERMIT.
7 1. [All liquor] *Liquor* control licenses and beer
8 permits, unless sooner suspended or revoked, [shall]
9 expire one year from date of issuance. The director
10 shall [cause] *give sixty days' written* notice of [such]
11 *the* expiration [to be given] to each licensee or
12 permittee [in writing]. However, the director may issue
13 six-month or eight-month seasonal licenses or class
14 'B' beer permits for a proportionate part of the
15 license or permit fee *or may issue fourteen-day liquor*
16 *licenses or beer permits as provided in subsection*
17 2. No refund shall be made for seasonal licenses
18 or permits *or four fourteen-day liquor licenses or*
19 *beer permits*. No seasonal license or permit shall
20 be renewed except after a period of two months.
21 2. *The director may issue fourteen-day class 'A',*
22 *class 'B', class 'C', and class 'D' liquor control*
23 *licenses and fourteen-day class 'B' beer permits.*
24 *A fourteen-day license or permit, if granted, is valid*
25 *for fourteen consecutive days, but the holder shall*
26 *not sell on the two Sundays in the fourteen-day period*
27 *unless the holder qualifies for and obtains the*
28 *privilege to sell on Sundays contained in sections*
29 *123.36, subsection 6 and 123.134, subsection 5.*
30 3. *The fee for a fourteen-day liquor license or*
31 *beer permit is one-quarter of the annual fee for that*
32 *class of liquor license or beer permit. The fee for*
33 *the privilege to sell on the two Sundays in the*
34 *fourteen-day period is twenty percent of the price*
35 *of the fourteen-day liquor license or beer permit."*

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

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

The Senate resumed session, President pro tempore Ramsey presiding.

RECESS

On motion of Senator Hultman, the Senate recessed at 10:20 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., President Branstad 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 March 16, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 262, a bill for an act to revise the regulation of land disturbing activities.

ALSO: That the House has on March 17, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 21, a resolution congratulating the nation of Nigeria for establishing a democratic form of government and welcoming the visiting delegation from Nigeria.

ALSO: That the House has on March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 468, a bill for an act relating to the taxation of certain optional service or maintenance contracts which provide for the furnishing of labor and materials for a fixed price.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

HOUSE CONCURRENT RESOLUTION 21

By: Menke, Pope, Avenson, Bennett, Halvorson of Clayton,
Hansen of O'Brien, Hoffmann, Anderson of Jasper,
Byerly, Cochran and Connors

1 *Whereas*, the people of Nigeria chose a democratic form
2 of government through their Constitution signed in 1979 and
3 established a National Assembly and nineteen unicameral state
4 assemblies and have sought to strengthen their legislatures
5 by sending delegations to visit, observe, and exchange ideas
6 with legislators and staff of the United States; and
7 *Whereas*, the Iowa General Assembly is one of twenty-four
8 United States legislatures participating in the Legislative
9 Leaders Exchange program, a cooperative effort among the
10 National Assembly of Nigeria, the State Legislative Leaders
11 Conference, and the twenty-four United States legislatures;
12 and
13 *Whereas*, in September, 1980, sixteen American state
14 legislators and senior legislative professional staff
15 participated in a seminar conducted in Lagos, Nigeria, which
16 was the first of a two-part international exchange program
17 between state legislative leaders of Nigeria and the United
18 States; and
19 *Whereas*, on March 18, 19, and 20, 1981, nine members of
20 the Nigerian delegation will be visiting the Iowa General
21 Assembly completing the second part of the international
22 exchange and training program; *Now Therefore*,
23 *Be It Resolved by the House of Representatives, the Senate*
24 *Concurring*, That the members of the Iowa General Assembly
25 congratulate the nation of Nigeria for establishing a
26 democratic form of government and participate in welcoming
27 the visiting delegation from Nigeria and lend Iowa's support
28 to making the visit of the Nigerian delegation enjoyable as
29 well as instructional; and
30 *Be It Further Resolved*, That copies of this resolution

Page 2

1 be prepared and given to the Honorable Speaker O.J. Udomesiet,
2 the Honorable Deputy Speaker F.S. Okpozo, the Honorable
3 Majority Leader Yusuf Muhtar, the Honorable Minority Leader
4 Z. Yakubu, the Honorable Judiciary Chairman B.O. Okwara,
5 the Honorable Judiciary Chairman C.J. Ayabowei, the Honorable
6 Whip Bappa Haruna Disina, the Honorable Member E.O. Isemin,
7 and Staff Member Tony Nwannah.

Read first time and referred to the committee on **Rules and Administration**.

House File 468, a bill for an act relating to the taxation of certain optional service or maintenance contracts which provide for the furnishing of labor and materials for a fixed price.

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

HOUSE AMENDMENT TO SENATE FILE 262

S—3199

1 Amend Senate File 262 as passed by the Senate as
2 follows:

3 1. Page 1, by striking lines 1 through 23 and
4 inserting in lieu thereof the following:

5 "Section 1. Section 467A.64, subsection 1, Code
6 1981, is amended by striking the subsection and
7 inserting in lieu thereof the following:

8 1. If a political subdivision has adopted a
9 sediment control ordinance which the commissioners
10 and the political subdivision jointly agree is at
11 least as equally effective as the commissioners' rules
12 in preventing erosion from exceeding the established
13 soil loss limits, the commissioners and the political
14 subdivision shall execute an agreement under chapter
15 28E allowing an agency authorized by the political
16 subdivision to receive and file an affidavit from
17 a person, prior to initiating a land disturbing
18 activity in that subdivision, stating that the proposed
19 activity will not exceed the established soil loss
20 limits. A copy of the affidavit shall be mailed to
21 the district as a part of the terms of the agreement.
22 The affidavit shall be in a form prescribed by the
23 department and made available by the district.

24 2. Prior to initiating a land disturbing activity
25 in a political subdivision which has not adopted
26 sediment control ordinances as described in subsection
27 1, a person engaged in the land disturbing activity
28 shall file a signed affidavit with the soil
29 conservation district that the project will not exceed
30 the soil loss limits. The affidavit shall be in a
31 form prescribed by the department and made available
32 by the district.

33 Sec. 2. Section 467A.64, subsections 2 and 3,
34 Code 1981, are amended to read as follows:"

35 2. Page 2, line 14, by striking the word "ten"
36 and inserting in lieu thereof the words "[ten] *twenty-*
37 *five*".

38 3. Page 2, line 19, by inserting after the word
39 "roads" the words "*by a public body*".

40 4. Page 2, line 20, by striking the words "permit
41 issuing authority" and inserting in lieu thereof the
42 words "[permit issuing authority] *agency authorized*
43 *under subsection 1*".

44 5. Page 2, lines 22 and 23, by striking the words
45 "the permit issuing authority" and inserting in lieu

46 thereof the words "[the permit issuing authority] *it*".
47 6. Page 2, line 28, by inserting after the word
48 "*district*" the words "*or the political subdivision*".
49 7. Page 2, by inserting after line 32 the
50 following:

Page 2

1 "Sec. 3. The soil conservation districts shall
2 adopt rules to implement section 1 of this Act by
3 October 1, 1981. The requirements of having an
4 affidavit on file with the district provided in section
5 1 of this Act shall not apply in a district until
6 that district has adopted the rules implementing
7 section 1 of this Act."
8 8. Renumber the sections to conform with this
9 amendment.

INTRODUCTION OF BILLS

Senate File 425, by Committee on State Government, a bill for an act relating to the Iowa housing finance authority and its records, loans, lending practices, and quorum requirements.

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

Senate File 426, by Taylor, a bill for an act providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer and providing for a January 1 effective date.

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

Senate File 427, by Carr, a bill for an act relating to the safety of persons working in manholes subject to applicable penalties.

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

Senate File 428, by Committee on Human Resources, a bill for an act relating to the employment by the department of social services of child support recovery workers.

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

Senate File 429, by Committee on Agriculture, a bill for an act permitting the sale of raw milk.

Read first time and placed on calendar.

Senate File 430, by Committee on Education, a bill for an act relating to the minimum age for school attendance.

Read first time and placed on calendar.

Senate File 431, by Carr, a bill for an act relating to the examination and settlement of accounts of county officers or employees.

Read first time and passed on file.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon session on request of Senator Hultman.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 58, Senator Hultman asked and received unanimous consent to take up all the following appointees on the En Bloc Confirmation Calendar:

State Board of Barber Examiners:

Phyllis L. Henderson, found on page 318 of the Senate Journal.
Harold Erichsen, found on page 716 of the Senate Journal.
Eva M. Yost, found on page 746 of the Senate Journal.

State Board of Cosmetology Examiners:

Marlene Donovan, found on page 318 of the Senate Journal.
Nancy Welter, found on page 608 of the Senate Journal.
Helen Mefferd, found on page 716 of the Senate Journal.

Iowa Law Enforcement Academy Council:

Frank A. Metzger, found on page 511 of the Senate Journal.
Gary Hughes, found on page 715 of the Senate Journal.
Paul C. Hoeffey, found on page 716 of the Senate Journal.
Rose Marie Edgerton, found on page 716 of the Senate Journal.

Board of Examiners for Hearing Aid Dealers:

Mary L. Mills, found on page 511 of the Senate Journal.
Larry D. Baker, found on page 746 of the Senate Journal.

State Health Facilities Council:

Catherine G. Williams, found on page 591 of the Senate Journal.

Credit Union Review Board, found on page 608 of the Senate Journal:

Aileen Brown
James J. McCue

Iowa Real Estate Commission:

Monroe Colston, found on page 608 of the Senate Journal.
Gracie Ruden, found on page 746 of the Senate Journal.

Job Service Advisory Council:

Raymond P. Henely, found on page 608 of the Senate Journal.
Donald Lewis, found on page 715 of the Senate Journal.
Jeanette A. Blackstone, found on page 715 of the Senate Journal.

State Board of Medical Examiners:

Reid E. Motley, found on page 608 of the Senate Journal.

State Board of Dental Examiners:

Connie Price, found on page 608 of the Senate Journal.
Dr. Clarence Hosford, found on page 716 of the Senate Journal.
Marcia Wiedmeyer, found on page 716 of the Senate Journal.

State Board of Examiners for Nursing Home Administrators:

Dr. Richard Rabe, found on page 608 of the Senate Journal.
Sidney Vanderwoude, found on page 717 of the Senate Journal.
Elbert Maricle, found on page 814 of the Senate Journal.

State Board of Speech Pathology and Audiology Examiners:

Jacqueline F. Bryant, found on page 608 of the Senate Journal.
Judy A. Smith, found on page 746 of the Senate Journal.

County Finance Committee, found on page 715 of the Senate Journal:

Curtis F. Mineart
Beverly Dickerson

State Board of Engineering Examiners, found on page 715 of the Senate Journal:

Francis E. Holland
Herman Lewis
Charles E. Hales

State Board of Nursing Examiners:

Elizabeth Kinney, found on page 716 of the Senate Journal.
Mark Zimmerman, found on page 716 of the Senate Journal.
Ruth M. Turnis, found on page 746 of the Senate Journal.

State Board of Watchmaking Examiners:

Karlton Kunath, found on page 716 of the Senate Journal.
Sidney Wilcox, found on page 716 of the Senate Journal.
James Williams, found on page 814 of the Senate Journal.

State Mental Health Advisory Council, found on page 716 of the Senate Journal:

Helen Henderson
Phyllis Christiansen
Donald E. Perkins
James Hassenfritz

Board of Architectural Examiners, found on page 716 of the Senate Journal:

Richard Hansen
Margaret Apostle
Bernard J. Keninger

Board of Landscape Architectural Examiners, found on page 716 of the Senate Journal:

Norma Peters
John M. Roberts
Jesse Lewis

Board of Accountancy, found on page 716 of the Senate Journal:

Ruth Roberts
Gaylon L. Halverson

Board of Certification of Waterworks and Waste Waterworks Operators, found on page 716 of the Senate Journal:

Vernon Spilker
Joseph Obr

State Board of Optometry Examiners:

Dr. Gloria Kirkland, found on page 717 of the Senate Journal.
John A. Gazaway, O.D., found on page 814 of the Senate Journal.

State Board of Pharmacy Examiners:

Margo Underwood, found on page 717 of the Senate Journal.
Robert Bellinger, found on page 746 of the Senate Journal.
Gale W. Stapp, found on page 814 of the Senate Journal.

State Board of Podiatry Examiners, found on page 717 of the Senate Journal:

Dr. Ray Samuel
Shirley A. Thompson

State Board of Physical and Occupational Therapy Examiners:

Deborah L. Green, found on page 717 of the Senate Journal.
Roger Egland, found on page 746 of the Senate Journal.

State Board of Mortuary Science Examiners:

Gary L. Sliefert, found on page 717 of the Senate Journal.

Iowa Housing Finance Authority:

Joy C. Corning, found on page 714 of the Senate Journal.

State Board of Veterinary Medicine Examiners, found on page 746 of the Senate Journal:

Jim Meyer
Dr. Sally Prickett

State Board of Chiropractic Examiners, found on page 746 of the Senate Journal:

Milton F. Schlein
Lloyd L. Cutler
Martha Leibhart

Commission on Judicial Qualifications:

Charles E. Storey, found on page 746 of the Senate Journal.

State Board of Psychology Examiners:

Kathryn Gerken, found on page 746 of the Senate Journal

Transportation Regulation Board:

Conrad A. Amend, found on page 745 of the Senate Journal.

Iowa Commerce Commission:

Christine Hansen, found on page 769 of the Senate Journal.

Labor Commissioner:

Allen J. Meier, found on page 795 of the Senate Journal.

State Board of Tax Review:

Richard Peebler, found on page 814 of the Senate Journal.

Council on Social Services:

Dolph Pulliam, found on page 814 of the Senate Journal.

Senator Hultman moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Anderson
Brown
Comito

Baughner
Carney
DeKoster

Bisenius
Carr
Deluhery

Briles
Coleman
Doyle

Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Craft	Gratias	Nystrom
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The Chair declared the appointments confirmed.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Drake called up the Report of Investigating Committee for William McGrath as a member of the Iowa Railway Finance Authority, filed January 28, 1981, found on page 246 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Comito	Craft	Gratias	Nystrom
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The Chair declared the appointment confirmed.

Senator Lura called up the Report of Investigating Committee for Richard P. Crawford, Jr., as a member of the Iowa Commission for the Blind, filed January 28, 1981, found on page 245 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Lura moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Craft	Gratias	Nystrom
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The Chair declared the appointment confirmed.

Senator Ramsey called up the Report of Investigating Committee for Suzan M. Stewart as a member of the Energy Policy Council, filed January 29, 1981, found on page 278 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Ramsey moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Baugher	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Voting present, 1:

Carney

Absent or not voting, 3:

Craft	Gratias	Nystrom
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The Chair declared the appointment confirmed.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Hultman called up the Report of Investigating Committee for Jon H. Kneen as a member of the State Board of Public Instruction, filed February 11, 1981, found on page 424 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Hultman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Baughner	Bisenius	Briles	Carney
Comito	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Jensen	Kudart
Lura	Murray	Ramsey	Readinger
Schwengels	Taylor	Tieden	Vande Hoef
Waldstein	Yenger		

Nays, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Absent or not voting, 3:

Craft	Gratias	Nystrom
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Jon H. Kneen.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Schwengels called up the Report of Investigating Committee for Kathryn E. Gammack as a member of the State Board of Medical Examiners, filed March 5, 1981, found on page 681 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Schwengels moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
DeKoster	Deluhery	Drake	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Murray
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Van Gilst
Waldstein	Wells	Yenger	

Nays, 2:

Bisenius	Dreeszen
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Voting present, 3:

Doyle	Miller, C.P.	Vande Hoef
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Absent or not voting, 2:

Craft	Nystrom
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The Chair declared the appointment confirmed.

Senator Lura asked and received unanimous consent to take up the Report of Investigating Committee for Elmer H. Vermeer as a member of the Iowa Housing Finance Authority filed March 9, 1981, found on page 714 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Lura moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Miller, A.V.

Miller, C.P.	Murray	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Craft	Gratias	Lura	Nystrom
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The Chair declared the appointment confirmed.

President pro tempore Ramsey took the chair at 5:00 p.m.

UNFINISHED BUSINESS (Deferred March 16, 1981)

Senate File 324

The Senate resumed consideration of Senate File 324, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty, deferred on March 16, 1981.

Senator Schwengels filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3192 to Senate File 324 was adopted by the Senate on March 16, 1981.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 324) the vote was:

Ayes, 32:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Deluhery	Doyle
Drake	Gallagher	Goodwin	Hester
Hasak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Van Gilst	Waldstein	Wells	Yenger

Nays, 13:

Carney	Comito	DeKoster	Dreeszen
Gentleman	Holden	Hulse	Hultman
Kudart	Lura	Taylor	Tieden
Vande Hoef			

Voting present, 1:

Bisenius

Absent or not voting, 4:

Craft	Gratias	Murray	Nystrom
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The motion prevailed and amendment S—3192 by Senator Holden was taken up for reconsideration.

Senator Holden moved the adoption of amendment S—3192 to page 1 of the bill.

Amendment S—3192 lost by a voice vote.

Senator Comito moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 324) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Anderson	Briles	Brown	Carr
Coleman	Deluhery	Doyle	Drake
Gallagher	Goodwin	Husak	Hutchins
Jensen	Junkins	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Rush
Schwengels	Slater	Small	Tieden
Van Gilst	Wells	Yenger	

Nays, 18:

Baughar	Carney	Comito	DeKoster
Dreeszen	Gentleman	Hester	Holden
Hulse	Hultman	Kinley	Kudart
Lura	Ramsey	Readinger	Taylor
Vande Hoef	Waldstein		

Voting present, 1:

Bisenius

Absent or not voting, 4:

Craft

Gratias

Murray

Nystrom

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

APPENDIX**BILL SIGNED BY THE GOVERNOR**

A communication was received announcing that on March 16, 1981, the Governor approved and transmitted to the Secretary of the State the following bill:

S.F. 106—Correcting the law relating to the appointment and confirmation of certain gubernatorial appointments.

**SUBCOMMITTEE ASSIGNMENTS FOR
GOVERNOR'S APPOINTMENTS**

In accordance with Senate Rule 58, the following Senators were appointed to subcommittees of standing committees:

AGRICULTURE: As a member of the State Soil Conservation Committee:

KENNETH KASSEL
Hulse, Chairperson
Hester
Hutchins

AGRICULTURE: As a member of the State Soil Conservation Committee:

JANE LAVAUN LA GRANGE
Waldstein, Chairperson
Husak
Hulse

AGRICULTURE: As a member of the State Soil Conservation Committee:

JOHN ROBERT MILLER
Vande Hoef, Chairperson
Van Gilst
Dreeszen

APPROPRIATIONS: As a member of the State Board of Regents:

MARGARET ANDERSON
Yenger, Chairperson
Carney
Deluhery

APPROPRIATIONS: As a member of the State Board of Regents:

JOHN C. MC DONALD
Tieden, Chairperson
Waldstein
Slater

APPROPRIATIONS: As a member of the State Board of Regents:

FRED W. NOLTING
Ramsey, Chairperson
Bisenius
Junkins

APPROPRIATIONS: As a member of the State Board of Regents:

JUNE MURPHY
Jensen, Chairperson
Baugher
Rush

HUMAN RESOURCES: As Commissioner of Public Health:

NORMAN L. PAWLEWSKI
Gentleman, Chairperson
Yenger
Carr

HUMAN RESOURCES: As members of the State Health Facilities Council:

WENDELL R. BENSON
SARA WISSING
Gratias, Chairperson
C. Miller
Drake

JUDICIARY: As a member of the Board of Parole:

WILLIAM C. CRIBBS
Small, Chairperson
Murray
Taylor

JUDICIARY: As a member of the Board of Parole:

RICHARD F. NAZETTE
Kudart, Chairperson
Baugher
Rush

JUDICIARY: As a member of the Iowa State Civil Rights Commission:

MARGUERITE COTHORN
Baugher, Chairperson
Murray
Coleman

JUDICIARY: As a member of the Iowa State Civil Rights Commission:

RACHEL EVANS
Coleman, Chairperson
Lura
Doyle

JUDICIARY: As a member of the Iowa State Civil Rights Commission:

JAMES L. HARMON
Dreezen, Chairperson
Doyle
Coleman

JUDICIARY: As a member of the Iowa State Civil Rights Commission:

THOMAS P. MC DONNELL
Deluhery, Chairperson
Doyle
Coleman

STATE GOVERNMENT: As a member of the Campaign Finance Disclosure Commission:

CAROLYN FARRELL
Lura, Chairperson
Craft
Gallagher

STATE GOVERNMENT: As a member of the Iowa Housing Finance Authority:

NEIL RONFELDT
Lura, Chairperson
Craft
Gallagher

TRANSPORTATION: As members of the State Transportation Commission:

DARREL RENSINK
DENNIS W. VOY
Drake, Chairperson
Jensen
Coleman

MOTIONS TO RECONSIDER

(Filed March 16, 1981)

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 10 passed the Senate on March 13, 1981.

JACK W. HESTER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3184 to Senate Joint Resolution 10 was adopted by the Senate on March 13, 1981.

JACK W. HESTER

COMMUNICATION

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

IOWA DEPARTMENT OF SUBSTANCE ABUSE

A copy of the Iowa Comprehensive State Plan for Substance Abuse for 1980-1981 in accordance with Section 125.7, Code 1981.

REPORT OF COMMITTEE

RULES AND ADMINISTRATION

Final Bill Action: House Concurrent Resolution 21, a resolution welcoming the Nigerian legislators to the Iowa Legislature.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hultman, Hulse, Kinley, Holden, Junkins and Ramsey. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 798 of the Senate Journal.

Final Bill Action: Senate File 425, a bill for an act relating to the Iowa housing finance authority and its records, loans, lending practices, and quorum requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Slater, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, Schwengels and Tieden. Nays, 1: Lura. Absent or not voting, 4: Briles, Nystrom, C. Miller and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 17, 1981, 8:00 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein.

Members Absent: none.

Final Bill Action: Senate File 182, a bill for an act relating to the location for hearings regarding a proposed gas line, gas storage facility, or electric transmission line.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 216, a bill for an act relating to noxious weeds.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 227, a bill for an act relating to beginning farmers by authorizing the family farm development authority to establish a program for insuring or guaranteeing contracts of sale of farm land made to beginning farmers, increasing the bonding power of the authority, providing for an income tax deduction for capital gains and interest received on contracts of sale made to beginning farmers and providing for a January 1 effective date for certain sections.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3198.

Final Vote: Ayes, 10: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 429, a bill for an act permitting the sale of raw milk.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Taylor, Hester, Hutchins, Dreeszen, Husak, A. Miller, Vande Hoef and Waldstein. Nays, 2: Hulse and Van Gilst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 9:10 a.m.

EDUCATION

Convened: March 16, 1981, 1:38 p.m.

Members Present: Gratiyas, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Final Bill Action: Senate File 430, a bill for an act relating to the minimum age for school attendance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gratiyas, Carney, Brown, Anderson, DeKoster, Dreezen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 165 as a committee bill; discussed Senate File 280—deferred action.

Adjourned: 2:28 p.m.

ENERGY

Convened: March 17, 1981, 8:08 a.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Briles (arrived 8:16 a.m.), Doyle, Kudart, Rodgers (arrived 8:36 a.m.) and Yenger.

Members Absent: Readinger.

Final Bill Action: Senate Concurrent Resolution 9, a resolution urging the Congress of the United States to act favorably upon legislation calling for a 12.5 percent ceiling on coal severance taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Ramsey, Bisenius, Gallagher, Anderson, Briles, Doyle, Kudart and Yenger. Nays, none. Absent or not voting, 2: Readinger and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: SSBs 207 and 208 approved for redraft as committee bills; Clyde G. Bridgeman demonstrated the Allied Energy International Turbulator for saving energy in the operation of boilers.

Adjourned: 8:53 a.m.

HUMAN RESOURCES

Convened: March 16, 1981, 3:04 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman, Drake (arrived 3:10 p.m.), Gratias, Hulse, A. Miller, Slater and Vande Hoef.

Members Absent: Nystrom (excused).

Final Bill Action: Senate File 428, a bill for an act relating to the employment by the department of social services of child support recovery workers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gentleman, Yenger, C. Miller, Carr, Coleman, Gratias, Hulse, A. Miller, Slater and Vande Hoef. Nays, none. Absent or not voting, 2: Drake and Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:12 p.m.

WAYS AND MEANS

Convened: March 17, 1981, 1:36 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Holden, Hultman, Husak, Lura, Ramsey, Rush and Van Gilst.

Members Absent: Hester, Junkins (excused), Palmer, Priebe and Taylor.

Final Bill Action: Senate File 217, a bill for an act to provide that transfers of property or interests in property pursuant to a decree of dissolution of marriage are not subject to the real estate transfer tax and the requirements relating to the filing of a declaration of value.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Craft, Readinger, Rodgers, Holden, Hultman, Husak, Lura, Ramsey, Rush and Van Gilst. Nays, none. Absent or not voting, 5: Hester, Junkins, Palmer, Priebe and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 155, a bill for an act to provide for the filing of applications to claim the personal property tax credit in even-numbered years when property is revalued and making the Act retroactive to January 1, 1981.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Craft, Readinger, Rodgers, Holden, Husak, Lura, Ramsey, Rush and Van Gilst. Nays, none. Absent or not voting, 6: Hester, Hultman, Junkins, Palmer, Priebe and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 152—deferred action.

Adjourned: 2:00 p.m.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointments to **standing committees** for investigation on March 17, 1981:

State Soil Conservation Committee—Kenneth Kassel—Agriculture.

State Soil Conservation Committee—John Robert Miller—Agriculture.

Iowa Housing Finance Authority—Neil Ronfeldt—State Government.

Campaign Finance Disclosure Commission—Carolyn Farrell—State Government.

State Health Facilities Council—Wendell R. Benson—Human Resources.

State Health Facilities Council—Sara Wissing—Human Resources.

Commissioner of Public Health—Norman L. Pawlewski—Human Resources.

Iowa Natural Resources Council—Gene Wiese—Natural Resources.

State Conservation Commission—F. Richard Thornton—Natural Resources.

State Conservation Commission—Marian Pike—Natural Resources.

State Conservation Commission—Baxter Freese—Natural Resources.

Iowa State Civil Rights Commission—Rachel Evans—Judiciary.

Iowa State Civil Rights Commission—Marguerite Cothorn—Judiciary.

Iowa State Civil Rights Commission—James L. Harmon—Judiciary.

Iowa State Civil Rights Commission—Thomas P. McDonnell—Judiciary.

Board of Parole—Richard F. Nazette—Judiciary.

Board of Parole—William C. Cribbs—Judiciary.

State Soil Conservation Committee—Jane LaVaun LaGrange—Agriculture.

State Board of Regents—June Murphy—Appropriations.

State Board of Regents—Margaret Anderson—Appropriations

State Board of Regents—John C. McDonald—Appropriations

State Board of Regents—Fred W. Nolting—Appropriations

State Transportation Commission—Darrel Rensink—Transportation

State Transportation Commission—Dennis W. Voy—Transportation

CALVIN O. HULTMAN, Chairperson

STUDY BILLS RECEIVED**S.S.B. 350 Transportation**

Increasing the tax on motor fuel by three cents per gallon and special fuel by four cents per gallon.

S.S.B. 351 Ways and Means

Relating to the processing exemption in the state sales, services, and use tax by including in the definition of services used in processing of tangible personal property, the reconditioning or repairing of used tangible property held for resale upon which the sales, services, or use tax will be paid when the property is sold.

S.S.B. 352 Ways and Means

Relating to the definition of retail sale for purposes of the state sales, service and use tax.

S.S.B. 353 Transportation

Establishing a transportation regulation authority to replace the three-member transportation regulation board.

S.S.B. 354 State Government

Relating to material donated to a public library, museum or archive.

S.S.B. 355 Natural Resources

To provide for county commissions to study the past, present, and future uses of land and providing for the making of recommendations to the general assembly.

S.S.B. 356 Commerce

To confer upon the Commissioner of Insurance rule-making authority over employers seeking exemption from the workers' compensation insurance requirement and imposing fees on those employers.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	421	County Government
S. F.	422	Cities
S. F.	424	Cities
H.F.	737	Energy

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Seventy students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Linn Disney and Bill Mueller. Senator Hulse.

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

Twenty-four students from Pomeroy Community Elementary School, Pomeroy, Iowa, accompanied by Bob Charleston. Senator Dreeszen.

AMENDMENTS FILED

S-3198	S. F.	227	Agriculture Committee
S-3200	S. F.	123	Edgar H. Holden
S-3201	S. F.	284	Julia Gentleman

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Wednesday, March 18, 1981.

Note: For explanation of brackets and italics, see page 58 of the Senate Journal.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
 FORTY-SECOND SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, March 18, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend John Oren, pastor of the Nora Springs United Methodist Church, Nora Springs, Iowa.

The Journal of Tuesday, March 17, 1981, was approved.

INTRODUCTION OF BILLS

Senate File 432, by Committee on Judiciary, a bill for an act relating to adopted persons and rights of inheritance.

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

Senate File 433, by Committee on Judiciary, a bill for an act relating to the inspection of the state adult penal and correctional facilities and the state juvenile facilities.

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

Senate File 434, by Committee on Judiciary, a bill for an act relating to the disclaimer of succession to property and providing a January 1 effective date.

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

RECESS

On motion of Senator Hultman, the Senate recessed at 9:12 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Branstad 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 March 11, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 743, a bill for an act to amend the definitions contained in, and to revise the disclosure requirements, compliance procedures, and penalties prescribed by the campaign disclosure-income tax checkoff Act.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 743, a bill for an act to amend the definitions contained in, and to revise the disclosure requirements, compliance procedures, and penalties prescribed by the campaign disclosure-income tax checkoff Act.

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

INTRODUCTION OF BILLS

Senate File 435, by Committee on Commerce, a bill for an act relating to the regulation of savings and loan associations.

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

Senate File 436, by Ramsey, Tieden and Baugher, a bill for an act amending certain provisions of the law relating to juvenile justice.

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

Senate File 437, by Committee on State Government, a bill for an act to allow the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits.

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

Senate File 438, by Committee on State Government, a bill for an act to make employment applications confidential records and allow them to be discussed in closed session.

Read first time and placed on calendar.

Senate File 439, by Committee on State Government, a bill for an act to allow a class "A" beer permittee to also hold a class "B" beer permit.

Read first time and placed on calendar.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration House Concurrent Resolution 21.

House Concurrent Resolution 21

On motion of Senator Hultman, House Concurrent Resolution 21, a resolution welcoming the visiting delegation from Nigeria, filed March 17, 1981, found on pages 826-827 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote.

UNFINISHED BUSINESS (Deferred March 9, 1981)

Senate File 28

The Senate resumed consideration of Senate File 28, a bill for an act to allow instructional staff of a professional school to serve on the licensing board of that profession and amendment S-3074 by Senator Small, deferred on March 9, 1981.

Senator Small withdrew amendment S-3074 to page 1 of the bill.

Senator Small offered amendment S-3152 filed by Senators DeKoster and Small on March 9, 1981, to page 1 of the bill.

Senator Small offered amendment S—3188 filed by him on March 16, 1981, to amendment S—3152 and moved its adoption.

Amendment S—3188 was adopted by a voice vote.

Senator Small moved the adoption of amendment S—3152 as amended, which motion prevailed by a voice vote.

Senator Small moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 28) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Yenger

Nays, none.

Absent or not voting, 2:

DeKoster Waldstein

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

President pro tempore Ramsey took the chair at 2:05 p.m.

Senator Carney took the chair at 2:08 p.m.

UNFINISHED BUSINESS
(Deferred March 16, 1981)

Senate File 284

The Senate resumed consideration of Senate File 284, a bill for an act striking the provision which prohibits a telephone company from imposing a charge for directory assistance and the motion to reconsider the vote by which amendment S—3157 was adopted by the Senate on March 16, 1981, by Senator Lura, deferred on March 16, 1981.

Senator Lura moved the adoption of the motion to reconsider amendment S—3157.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 284) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Baughner	Briles	Carney	Craft
DeKoster	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Murray	Ramsey
Readinger	Schwengels	Taylor	Vande Hoef
Waldstein			

Nays, 23:

Anderson	Bisenius	Brown	Carr
Coleman	Deluhery	Doyle	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Rodgers
Rush	Slater	Small	Tieden
Van Gilst	Wells	Yenger	

Voting present, 1:

Comito

Absent or not voting, 1:

Priebe

Senator Rush raised the point of order that Senator Comito state his conflict of interest under Rule 23.

The Chair ruled the point well taken.

The motion to reconsider prevailed and amendment S—3157 by Senators Slater and Carr was taken up for reconsideration.

Senator Slater moved the adoption of amendment S—3157 to page 1 of the bill and requested a record roll call.

On the question “Shall amendment S—3157 be adopted?” (S.F. 284) the vote was:

Ayes, 23:

Anderson	Bisenius	Brown	Carr
Coleman	Deluhery	Doyle	Gentleman
Gratias	Hutchins	Junkins	Kinley
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Rodgers	Slater	Small
Van Gilst	Wells	Yenger	

Nays, 26:

Baughner	Briles	Carney	Craft
DeKoster	Drake	Dreeszen	Gallagher
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Jensen	Kudart
Lura	Miller, A.V.	Ramsey	Readinger
Rush	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein		

Voting present, 1:

Comito

Amendment S—3157 lost.

Senator Gentleman offered amendment S—3201 filed by her on March 18, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3201 was adopted by a voice vote.

Senator Coleman offered amendment S—3211 filed by Senators Coleman and Brown from the floor to page 1 of the bill and moved its adoption.

Amendment S—3211 was adopted by a voice vote.

President Branstad took the chair at 2:46 p.m.

Senator Slater offered amendment S—3209 filed by Senators Slater, Lura and Kinley from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3209 be adopted?" (S.F. 284) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Anderson	Bisenius	Brown	Carr
Coleman	Deluhery	Doyle	Gentleman
Gratias	Hutchins	Junkins	Kinley
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	Yenger

Nays, 24:

Baughner	Briles	Carney	Craft
DeKoster	Drake	Dreeszen	Gallagher
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Jensen	Kudart
Ramsey	Readinger	Rush	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

Voting present, 1:

Comito

Absent or not voting, 1:

Murray

The Chair voted "aye" to break the tie and amendment S—3209 was adopted.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 284) the vote was:

Ayes, 41:

Anderson	Bisenius	Briles	Brown
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Carney	Coleman	Craft	DeKoster
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Yenger			

Nays, 6:

Baughner	Carr	Deluhery	Doyle
Palmer	Wells		

Voting present, 1:

Comito

Absent or not voting, 2:

Gratias Murray

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

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **House Concurrent Resolution 21** be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 48.

Senate File 48

On motion of Senator DeKoster, Senate File 48, a bill for an act providing for the joint financing by public agencies of electric power facilities and other facilities, with report of committee recommending passage, was taken up for consideration.

Senator Holden asked and received unanimous consent to withdraw amendment S—3191 filed by Senators Holden, Craft and Doyle on March 16, 1981, to page 3 of the bill.

Senator Carney took the chair at 3:25 p.m.

Senator Holden offered amendment S—3202 filed by Senators Holden, Craft and Doyle from the floor to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3202 be adopted?" (S.F. 48) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Baughner	Bisenius	Coleman	Comito
Craft	Doyle	Gentleman	Goodwin
Holden	Hulse	Hultman	Kinley
Kudart	Lura	Nystrom	Ramsey
Schwengels	Taylor	Wells	

Nays, 29:

Anderson	Briles	Brown	Carr
DeKoster	Deluhery	Drake	Dreeszen
Gallagher	Hester	Husak	Hutchins
Jensen	Junkins	Miller, A.V.	Miller, C.P.
Murray	Palmer	Priebe	Readinger
Rodgers	Rush	Slater	Small
Tieden	Vande Hoef	Van Gilst	Waldstein
Yenger			

Voting present, 1:

Carney

Absent or not voting, 1:

Gratias

Amendment S—3202 lost.

Senator Lura offered amendment S—3206 filed by Senators Lura, et al., from the floor to page 3 of the bill.

Senator Briles raised the point of order that amendment S—3206 was not germane to the bill.

President Branstad took the chair at 3:50 p.m.

The Chair ruled the point well taken and amendment S—3206 out of order.

Senator Lura offered amendment S—3214 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3214 be adopted?” (S.F. 48) the vote was:

Ayes, 19:

Baughner	Bisenius	Comito	Craft
Doyle	Dreeszen	Gentleman	Goodwin
Holden	Hultman	Kudart	Lura
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Van Gilst	

Nays, 29:

Anderson	Briles	Brown	Carr
Coleman	DeKoster	Deluhery	Drake
Gallagher	Hester	Hulse	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Murray	Palmer
Priebe	Rodgers	Rush	Slater
Small	Vande Hoef	Waldstein	Wells
Yenger			

Voting present, 1:

Carney

Absent or not voting, 1:

Gratias

Amendment S—3214 lost.

Senator Bisenius offered amendment S—3208 filed by him from the floor to page 3 of the bill.

Senator Drake raised the point of order that amendment S—3208 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3208 out of order.

Senator Ramsey offered amendment S—3215 filed by Senators Ramsey and Baugher from the floor to page 1 of the bill.

Senator Drake asked and received unanimous consent that action on amendment S—3215 be deferred.

Senator Hultman asked and received unanimous consent that action on **Senate File 48** be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 262

Senator Schwengels called up for consideration Senate File 262, a bill for an act to revise the regulation of land disturbing activities, amended by the House, and moved that the Senate concur in House amendment S—3199 filed March 17, 1981, and found on pages 828-829 of the Senate Journal.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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 by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 262) the vote was:

Ayes, 48:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Cornito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Husak	Hutchins

Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Gratias Murray

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

BUSINESS PENDING

Senate File 48

The Senate resumed consideration of Senate File 48 and amendment S—3215, previously deferred.

Senator Ramsey withdrew amendment S—3151 filed by him on March 9, 1981, to page 1 of the bill.

Senator Ramsey asked and received unanimous consent to withdraw amendment S—3215 to page 1 of the bill, previously deferred.

Senator Ramsey asked and received unanimous consent to withdraw amendment S—3210 filed by Senators Ramsey and Baugher from the floor to page 1 of the bill.

Senator Ramsey offered amendment S—3216 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3216 was adopted by a voice vote.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

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

Ayes, 30:

Anderson	Briles	Brown	Carr
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Coleman	DeKoster	Deluhery	Drake
Gallagher	Goodwin	Hester	Hulse
Husak	Hutchins	Jensen	Junkins
Kudart	Miller, A.V.	Miller, C.P.	Murray
Palmer	Priebe	Rodgers	Rush
Slater	Small	Taylor	Vande Hoef
Waldstein	Yenger		

Nays, 17:

Baughner	Bisenius	Craft	Doyle
Dreeszen	Gentleman	Holden	Hultman
Kinley	Lura	Nystrom	Ramsey
Readinger	Schwengels	Tieden	Van Gilst
Wells			

Voting present, 1:

Carney

Absent or not voting, 2:

Comito Gratias

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 48 passed the Senate on March 18, 1981.

A.R. (BUD) KUDART

HOUSE AMENDMENT CONSIDERED

Senate File 172

Senator-Drake called up for consideration Senate File 172, a bill for an act to establish short term liquor licenses and beer permits, amended by the House, and moved that the Senate concur in House amendment S—3197 filed March 17, 1981, and found on page 825 on the Senate Journal.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake 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. 172) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Taylor

Absent or not voting, 2:

Gratias Palmer

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

UNFINISHED BUSINESS (Deferred March 13, 1981)

Senate File 213

The Senate resumed consideration of Senate File 213, a bill for an act relating to the members of the Iowa beer and liquor control council, deferred on March 13, 1981.

Senator Briles moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 213) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 2:

DeKoster Taylor

Absent or not voting, 2:

Gratias Tieden

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 440, by Committee on Transportation, a bill for an act authorizing the use of railroad assistance funds for the restoration, conservation, and improvement of railroad main lines, switching yards, and sidings and providing funds.

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

APPENDIX

STUDY BILL RECEIVED

S.S.B. 357 State Government

Relating to the management of property by the department of general services.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	426	Ways and Means
S. F.	427	Labor and Industrial Relations
S. F.	431	County Government
H. F.	164	Transportation
H. F.	371	State Government
H. F.	372	Commerce
H. F.	466	Agriculture
H. F.	468	Ways and Means
H. F.	469	Ways and Means
H. F.	642	Ways and Means
H. F.	724	Education
H. F.	726	State Government
H. F.	728	Transportation
H. F.	729	Transportation
H. F.	731	Judiciary
H. F.	734	Ways and Means
H. F.	736	Judiciary
H. F.	739	Judiciary
H. F.	740	Transportation
H. F.	741	Judiciary
H. F.	742	Judiciary

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 58, the following Senators were appointed to subcommittees of standing committees:

NATURAL RESOURCES: As members of the State Conservation Commission:

BAXTER FREESE
 MARIAN PIKE
 F. RICHARD THORNTON
 Kudart, Chairperson
 Gentleman
 Hutchins

NATURAL RESOURCES: As a member of the Iowa Natural Resources Council:

GENE WIESE
 Kudart, Chairperson
 Gentleman
 Hutchins

REPORTS OF INVESTIGATING COMMITTEES
 (Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Darrel Rensink, Sioux Center, Sioux County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Section 307.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
 RICHARD F. DRAKE, Chairperson

Pursuant to Senate Rule 58, the Committee on Transportation assigned to investigate the character and qualifications of Dennis W. Voy, Maquoketa, Jackson County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Section 307.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
 RICHARD F. DRAKE, Chairperson

FURTHER
REPORTS OF COMMITTEE MEETINGS

COMMERCE*

*A previous report of this meeting was recorded on page 816 of the Senate Journal.

Final Bill Action: Senate File 435, a bill for an act relating to the regulation of savings and loan associations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Holden, Baugher, Deluhery, Comito, Craft, DeKoster, Husak, Jensen and Rush. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 817 of the Senate Journal.

Final Bill Action: Senate File 437, a bill for an act allowing the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer and Schwengels. Nays, none. Absent or not voting, 2: Nystrom and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 438, a bill for an act making an employment application confidential record and allow them to be discussed in closed session.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer and Schwengels. Nays, none. Absent or not voting, 2: Nystrom and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 439, a bill for an act to allow a class "A" beer permittee to also hold a class "B" beer permit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer and Schwengels. Nays, none. Absent or not voting, 2: Nystrom and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 17, 1981, 10:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Appropriation for Capital Planning for Oakdale; approval of the Governor's recommendation for Fort Madison for FY 82 and FY 83.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 17, 1981, 10:30 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen and Nystrom.

Members Absent: Hutchins.

Other Committee Business: Appropriations discussion and decisions.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 17, 1981, 10:30 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Kudart, Readinger and A. Miller (arrived 11:10 a.m.).

Members Absent: none.

Other Committee Business: Presentation from the Iowa State Department of Health.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 17, 1981, 10:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Continued consideration of budget proposals.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 17, 1981, 10:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Discussion and decisions on subcommittee appropriations bill.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 17, 1981, 10:32 a.m.

Members Present: Bisenius, Chairperson; Anderson, Drake and Holden.

Members Absent: Coleman, Ranking Member.

Other Committee Business: Decisions regarding the Department of Public Safety.

Adjourned: 11:40 a.m.

COMMERCE

Convened: March 18, 1981, 8:30 a.m.

Members Present: Holden, Chairperson; Deluhery, Ranking Member (arrived 8:45 a.m.); Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: Baugher, Vice Chairperson and Comito.

Final Bill Action: Senate File 256, a bill for an act relating to the powers of credit unions as these relate to amendment of bylaws, reciprocity, amount to be loaned to a member, merger, language contained in a share draft instrument, share draft reserves, and gifts to minors.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3204.

Final Vote: Ayes, 8: Holden, Deluhery, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 2: Baugher and Comito.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 9:00 a.m.

JUDICIARY

Convened: March 17, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Taylor, Baugher (arrived 3:15 p.m.) and Small (arrived 3:15 p.m.).

Members Absent: none.

Final Bill Action: Senate File 432, a bill for an act relating to adopted persons and rights of inheritance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Small and Baugher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 433, a bill for an act relating to the inspection of the state adult penal and correctional facilities and the state juvenile facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Small and Baugher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 434, a bill for an act relating to the disclaimer of succession to property and providing a January 1 effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Baugher and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; assignment of gubernatorial appointments to subcommittees.

Adjourned: 4:00 p.m.

TRANSPORTATION

Convened: March 17, 1981, 1:32 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom.

Members Absent: none.

Final Bill Action: Senate File 344, a bill for an act relating to the movement of boat hoists on the highways of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 414, a bill for an act to provide for the purchase by certain state agencies of motor vehicles manufactured in this country which meet certain fuel efficiency requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 440, a bill for an act authorizing the use of railroad assistance funds for the restoration, conservation, and improvement of railroad

main lines, switching yards, and sidings and providing funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, A. Miller, Murray and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved Governor's appointees Dennis W. Voy and Darrell Rensink; approved SSB 350 as a committee bill; amended and approved SSB 339 as a committee bill.

Adjourned: 2:05 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable John C. Rhodes, former member of the Senate from Lucas County, who was present in the Senate chamber.

Senator Gratias presented Kari Weum, a foreign exchange student from Norway, who was present in the Senate chamber.

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

Members of the Boys' State Tournament Basketball team from Rockford High School, accompanied by their coach, Jack Lehmann and assistant coach, Jerry Thomsen. Senator Gratias.

AMENDMENTS FILED

S—3202	S. F.	48	Edgar H. Holden Rolf V. Craft Donald V. Doyle
S—3203	S. F.	396	Norman J. Goodwin
S—3204	S. F.	256	Commerce Committee
S—3205	S. F.	420	Dick Ramsey Stephen W. Bisenius Ted Anderson A.R. (Bud) Kudart
S—3206	S. F.	48	Mick Lura Sue Yenger

			David Readinger*
			Jack W. Hester
S-3207	S. F.	429	Joe Brown
S-3208	S. F.	48	Stephen W. Bisenius
S-3209	S. F.	284	Tom Slater
			Mick Lura
			George R. Kinley
S-3210	S. F.	48	Dick Ramsey
			Gary L. Baugher
S-3211	S. F.	284	C. Joseph Coleman
			Joe Brown
S-3212	S. F.	403	C.W. Bill Hutchins
S-3213	S. F.	182	Alvin V. Miller
			Ray Taylor
S-3214	S. F.	48	Mick Lura
S-3215	S. F.	48	Dick Ramsey
			Gary L. Baugher
S-3216	S. F.	48	Dick Ramsey
S-3217	S. F.	402	Berl E. Priebe
			Emil J. Husak
S-3218	S. F.	123	Bob Rush

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Thursday, March 19, 1981.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
 FORTY-THIRD SESSION DAY

Senate Chamber
 Des Moines, Iowa, Thursday, March 19, 1981

The Senate met in regular session at 9:00 a.m., Senator Carney presiding.

Prayer was offered by Monsignor J. Tolan, pastor of the St. Joseph Church, Wall Lake, Iowa.

The Journal of Wednesday, March 18, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lynn Leibel, M.D., Council Bluffs, Iowa.

INTRODUCTION OF BILLS

Senate File 441, by Schwengels, a bill for an act to require hospital and health care facility administrators to cause patients or residents to be asked if they desire an absentee ballot.

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

Senate File 442, by Schwengels, a bill for an act to allow a qualified elector who has moved within the county and not registered at the new residence to cast a vote at the next election.

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

Senate File 443, by Bisenius, a bill for an act relating to the duties of the state board of regents and transferring the jurisdiction and control of the Iowa braille and sight-saving school, the school for the deaf, and the state hospital-school from the state board of regents to the department of public instruction, which takes effect July 1, 1982.

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

BILL REFERRED TO COMMITTEE

The Chair announced that **Senate File 227** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:10 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:08 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 444, by Wells, a bill for an act to require railroad corporations to pay the cost of medical examinations or furnishing medical records of employees and applicants for employment.

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

Senate File 445, by Committee on Transportation, a bill for an act increasing the tax on motor fuel by three cents per gallon and special fuel by four cents per gallon.

Read first time and referred to the committee on **Ways and Means** under Senate Rule 37.

Senate File 446, by Kudart, a bill for an act establishing a precious metal dealer's license and providing a penalty.

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

Senate File 447, by Committee on Energy, a bill for an act exempting coal mined in Iowa and held as inventory by an electric utility from property taxation.

Read first time and referred to the committee on **Ways and Means** under Senate Rule 37.

Senate File 448, by Committee on Energy, a bill for an act exempting the gross receipts from the sale or rental of mining equipment to be used within the state from the state sales tax.

Read first time and referred to the committee on **Ways and Means** under Senate Rule 37.

Senate File 449, by Committee on Natural Resources, a bill for an act permitting the state conservation commission to determine the methods and instruments used in taking game, fish, and furbearing animals.

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

Senate File 450, by Committee on Natural Resources, a bill for an act relating to financial responsibility for boating accidents and providing a penalty.

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

Senate File 451, by Committee on Natural Resources, a bill for an act relating to the authority of the peace officers of the conservation commission and partial guidelines for the rules of the commission.

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

Senate File 452, by Committee on Natural Resources, a bill for an act relating to private fish hatcheries.

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

Senate File 453, by Committee on County Government, a bill for an act relating to the appointment of a member of a county board of supervisors to the council on social services, effective January 1, 1983.

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

Senate File 454, by Committee on County Government, a bill for an act relating to quarterly reports by county officers.

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

Senate File 455, by Committee on County Government, a bill for an act relating to the conveyance of county property to the federal government.

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

Senate File 456, by Committee on County Government, a bill for an act relating to the jurisdictional transfer of highways and streets.

Read first time and placed on calendar.

DISTINGUISHED VISITOR

President Branstad presented the Honorable Noel Davern, T.D.M.E.P., Government Member of the House of Parliament (Dail Eireann), Republic of Ireland, from Dublin, Ireland. He is also a member of the European Parliament and the European Committee of Agriculture.

Mr. Davern and his wife, Anne-Marie, were visiting the Senate as the guests of Senator Priebe.

Mr. Davern addressed the Senate briefly and spoke of the similarities between Europe and the United States and the economic problems facing the world today, particularly in the rural areas. He stressed that Europe is striving to keep the family unit of agriculture in existence and productive for the needs of the many people of the world.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Junkins and Hutchins for the day on request of Senator Deluhery; Senators Ramsey, Hultman, Carney, Craft, Jensen and Tieden for the day on request of Senator Holden.

QUORUM CALL

Senator Holden requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Hester called up the motion to reconsider Senate Joint Resolution 10 filed by him on March 16, 1981, found on page 846 of the Senate Journal and moved its adoption.

A non record roll call was taken.

The ayes were 42, nays none.

The motion prevailed.

Senator Hester moved to reconsider the vote by which Senate Joint Resolution 10 went to its last reading, which motion prevailed by a voice vote.

Senate Joint Resolution 10

On motion of Senator Hester, Senate Joint Resolution 10, a joint resolution proposing a compact between the states of Iowa, Kansas, Missouri and Nebraska regarding the Missouri River, was taken up for reconsideration.

Senator Hester asked and received unanimous consent to reintroduce amendment S—3123, withdrawn on March 13, 1981, and that it be eligible for further consideration of the Senate.

Senator Hester moved the adoption of amendment S—3123 to the title page of the resolution, which motion prevailed by a voice vote.

Senator Hester called up the motion to reconsider the vote by which amendment S—3184 was adopted by the Senate on March 13, 1981, filed by him on March 16, 1981, found on page 846 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3184 to page 1 and the title page of the resolution was taken up for reconsideration.

The Chair ruled amendment S—3184 out of order because of the passage of amendment S—3123.

Senator Hester moved that the resolution be read the last time now, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution pass?" (S.J.R. 10) the vote was:

Ayes, 37:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse

Husak	Kinley	Lura	Nystrom
Palmer	Priebe	Readinger	Rodgers
Schwengels	Slater	Small	Taylor
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 13:

Carney	Craft	Hultman	Hutchins
Jensen	Junkins	Kudart	Miller, A.V.
Miller, C.P.	Murray	Ramsey	Rush
Tieden			

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

APPENDIX
COMMUNICATION

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

DEPARTMENT OF GENERAL SERVICES

A copy of the report by the Risk Management Division of the Department of General Services reporting the findings and recommendations of the division pursuant to Section 18.169, Code 1981. Additional copies are available to the members of the Senate upon request.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 324, the following technical correction was made:

1. Amendment S—3145, page 1, line 5, the word “devises” was changed to “devices”.

LINDA HOWARTH MACKAY
Secretary of the Senate

STUDY BILLS RECEIVED

S.S.B. 358 Judiciary

Relating to salary, expenses, retirement, and physical facilities for magistrates or judges.

S.S.B. 359 Appropriations

Relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

S.S.B. 360 State Government

Providing for benefit equalization for eye care services by prohibiting denial of reimbursement for certain services.

S.S.B. 361 Cities

Relating to persons prohibited from having an interest in a municipal housing project, and making penalties applicable.

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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 19th day of March, 1981.

Senate File 200.

LINDA HOWARTH MACKAY
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. F.	436	Judiciary
H. F.	743	State Government

REPORTS OF INVESTIGATING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Edwin Augustine, Washington, Washington County, Iowa, for appointment as a member of the Iowa Natural Resources Council under the provisions of Section 455A.4, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of E. Eileen Heiden, Denison, Crawford County, Iowa, for reappointment as a member of the Iowa Natural Resources Council under the provisions of Section 455A.4, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of John P. Whitesell, Iowa Falls, Hardin

County, Iowa, for reappointment as a member of the Iowa Natural Resources Council under the provisions of Section 455A.4, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following Governor's appointments on the **En Bloc Confirmation Calendar** on March 19, 1981, and recommended the appointments be confirmed:

State Board of Mortuary Science Examiners—Lynda E. Schuler

State Board of Medical Examiners—Marlene Ann Wager, D.O.

Merit Employment Commission—Elizabeth Burmeister

Merit Employment Commission—Walter Roettger

State Board of Psychology Examiners—Darrel Dierks

State Judicial Nominating Commission—Bonetta Jean Culp

State Judicial Nominating Commission—Forrest J. Mitchell

State Judicial Nominating Commission—Jan Christensen

State Board of Optometry Examiners—R.B. Tuberty, O.D.

Iowa Beer & Liquor Control Council—Daniel E. Cahill

Advisory Investment Board (IPERS)—Eldon Meyers

Advisory Investment Board (IPERS)—Joseph B. Trecek, Jr.

CALVIN O. HULTMAN, Chairperson

FURTHER
REPORTS OF COMMITTEE MEETINGS

ENERGY*

*A previous report of this meeting was recorded on pages 848-849 of the Senate Journal.

Final Bill Action: Senate File 447, a bill for an act exempting coal mined in Iowa and held as inventory by an electric utility from property taxation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Ramsey, Bisenius, Gallagher, Anderson, Doyle, Kudart and Yenger. Nays, none. Absent or not voting, 3: Briles, Readinger and Rodgers.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 448, a bill for an act exempting the gross receipts from the sale or rental of mining equipment to be used within the state from the state sales tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Ramsey, Bisenius, Gallagher, Anderson, Briles, Doyle, Kudart and Yenger. Nays, none. Absent or not voting, 2: Readinger and Rodgers.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

TRANSPORTATION*

*A report of this meeting was recorded on pages 875-876 of the Senate Journal.

Final Bill Action: Senate File 445, a bill for an act increasing the tax on motor fuel by three cents per gallon and special fuel by four cents per gallon.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Drake, Jensen, Bisenius, Comito, A. Miller, Murray and Nystrom. Nays, 3: Coleman, Doyle and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 18, 1981, 10:40 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Representative Trucano presented report on District Organization to the Joint Appropriations Subcommittee on Social Services.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 18, 1981, 9:40 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Appropriations recommendations.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 18, 1981, 9:45 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Decisions regarding Department of Public Safety.

Adjourned: 11:35 a.m.

COUNTY GOVERNMENT

Convened: March 17, 1981, 3:00 p.m.

Members Present: Briles, Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Priebe and Vande Hoef.

Members Absent: Waldstein, Vice Chairperson (excused) and Yenger.

Final Bill Action: House File 186, a bill for an act relating to the permissible use of proceeds of property sold by a county board of hospital trustees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3219.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe and Vande Hoef. Nays, none. Absent or not voting, 2: Waldstein and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 453, a bill for an act relating to the appointment of a member of a county board of supervisors to the council on social services, effective January 1, 1983.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe and Vande Hoef. Nays, none. Absent or not voting, 2: Waldstein and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 454, a bill for an act relating to quarterly reports by county officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe and Vande Hoef. Nays, none. Absent or not voting, 2: Waldstein and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 455, a bill for an act relating to the conveyance of county property to the federal government.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe and Vande Hoef. Nays, none. Absent or not voting, 2: Waldstein and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 456, a bill for an act relating to the jurisdictional transfer of highways and streets.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Briles, Wells, Brown, Goodwin, Hester, Priebe and Vande Hoef. Nays, none. Voting present, 1: C. Miller. Absent or not voting, 2: Waldstein and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:55 p.m.

JUDICIARY

Convened: March 19, 1981, 8:00 a.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member (arrived 8:50 a.m.); Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen and Ramsey (arrived 8:35 a.m.).

Members Absent: Lura, Murray, Small and Taylor.

Final Bill Action: Senate File 156, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3226.

Final Vote: Ayes, 8: DeKoster, Kudart, Baugher, Carr, Coleman, Deluhery, Doyle and Dreeszen. Nays, none. Absent or not voting, 6: Rush, Ramsey, Lura, Murray, Small and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 243, a bill for an act relating to profiting from inmates held in custody and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: DeKoster, Kudart, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen and Ramsey. Nays, none. Absent or not voting, 5: Rush, Lura, Murray, Small and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 356, a bill for an act providing for a reduction of the amount of an unsecured appearance bond when a violation charged involves an accident or injury for which there is less than one hundred dollars total damage.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3223.

Final Vote: Ayes, 8: DeKoster, Kudart, Baugher, Carr, Coleman, Deluhery, Doyle and Ramsey. Nays, none. Absent or not voting, 6: Rush, Lura, Murray, Small, Taylor and Dreeszen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 382, a bill for an act repealing the requirement that clerks of the district court and county attorneys inspect county jails.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3224.

Final Vote: Ayes, 8: DeKoster, Kudart, Baugher, Carr, Coleman, Deluhery, Doyle and Ramsey. Nays, none. Absent or not voting, 6: Rush, Lura, Murray, Small, Taylor and Dreeszen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 9:10 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 19, 1981, 8:05 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Anderson, Ranking Member; Brown, Goodwin, Gratias and Hultman.

Members Absent: Kinley and Wells.

Final Bill Action: Senate File 141, a bill for an act relieving reimbursable employers of charges paid to part-time employees who have been receiving partial benefits due to separation from their regular full-time employment.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Hulse, Carney, Anderson, Brown, Goodwin, Gratias and Hultman. Nays, none. Absent or not voting 2: Kinley and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned Senate File 427 to subcommittee; SSB 334 ordered redrafted for final approval as a committee bill; Senate Files 286 and 161 ordered redrafted as committee bills.

Adjourned: 8:25 a.m.

NATURAL RESOURCES

Convened: March 18, 1981, 8:05 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden, Hutchins and Rodgers.

Members Absent: Gallagher.

Final Bill Action: Senate File 449, a bill for an act permitting the state conservation commission to determine the methods and instruments used in taking game, fish and furbearing animals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Hutchins and Rodgers. Nays, none. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 450, a bill for an act relating to financial responsibility for boating accidents and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Hutchins and Rodgers. Nays, none. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 451, a bill for an act relating to the authority of the peace officers of the conservation commission and partial guidelines for the rules of the commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Hutchins and Rodgers. Nays, none. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 452, a bill for an act relating to private fish hatcheries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Hutchins and Rodgers. Nays, none. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:40 a.m.

WAYS AND MEANS

Convened: March 19, 1981, 1:35 p.m.

Members Present: Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Husak, Lura, Priebe, Rush, Van Gilst and Taylor (arrived 1:50 p.m.).

Members Absent: Craft, Chairperson (excused); Hultman, Junkins, Palmer and Ramsey.

Final Bill Action: Senate File 323, a bill for an act relating to mobile homes by providing that the semiannual mobile home tax is due and payable and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, that title shall not be transferred if taxes are owing, that mobile homes are not subject to annual registration, and that before mobile homes can be transported a tax clearance that taxes are not owing must be obtained, requiring that present owners who are not titled in the county where their mobile homes are located must notify the county treasurer and providing a January 1 effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Readinger, Rodgers, Hester, Holden, Husak, Lura, Priebe, Rush and Van Gilst. Nays, none. Absent or not voting, 6: Hultman, Junkins, Palmer, Ramsey, Taylor and Craft.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Action on SSB 268 deferred.

Adjourned: 2:25 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Eighty students, members of the Jones County 4-H program, accompanied by youth leader, Varlyn D. Fink and twelve other leaders. Senator Hulse.

Thirty-six students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Bill Mueller. Senator Hulse.

AMENDMENTS FILED

S—3219	H.F.	186	County Government Committee
S—3220	S. F.	217	John S. Murray
S—3221	S. F.	433	Bob Carr Lucas J. DeKoster
S—3222	S. F.	435	Edgar H. Holden
S—3223	S. F.	356	Judiciary Committee
S—3224	S. F.	382	Judiciary Committee
S—3225	S. F.	435	Emil J. Husak Bob Rush
S—3226	S. F.	156	Judiciary Committee
S—3227	S. F.	107	Ray Taylor

ADJOURNMENT

On motion of Senator Holden, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Friday, March 20, 1981.

JOURNAL OF THE SENATE

SIXTY-EIGHTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 20, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Honorable Forrest V. Schwengels, member of the Senate from Jefferson County, Fairfield, Iowa.

The Journal of Thursday, March 19, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Junkins and Hutchins for the day on request of Senator Deluhery; Senators Hultman, Ramsey, Carney, Craft and Jensen for the day on request of Senator Holden.

INTRODUCTION OF BILL

Senate File 457, by Doyle, a bill for an act relating to young adult offenders.

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

QUORUM CALL

Senator Holden requested a non record roll call to determine that a quorum was present.

The vote revealed 31 present, 19 absent and a quorum present.

CONSIDERATION OF BILLS (Noncontroversial Calendar)

Senate File 377

On motion of Senator Miller of Des Moines, Senate File 377, a bill for an act relating to the disposal of resources for less than fair market value by individuals eligible for medical assistance, was taken up for consideration.

Senator Miller of Des Moines moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 377) the vote was:

Ayes, 35:

Anderson	Baughner	Bisenius	Briles
Brown	Coleman	Comito	Deluhery
Doyle	Drake	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Husak	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, none.

Absent or not voting, 15:

Carney	Carr	Craft	DeKoster
Dreeszen	Hultman	Hutchins	Jensen
Junkins	Murray	Nystrom	Palmer
Ramsey	Small	Yenger	

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

House File 293

On motion of Senator Hulse, House File 293, a bill for an act creating a revolving farm fund for the department of social services, effective upon publication, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 293** be **deferred**.

Senate File 278

On motion of Senator Gratias, Senate File 278, a bill for an act relating to the effective date of new rates for services provided to medical assistance recipients by licensed health care facilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gratias offered amendment S—3162 filed by the committee on Human Resources on March 11, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3162 was adopted by a voice vote.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 278) the vote was:

Ayes, 35:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Husak
Kinley	Kudart	Lura	Miller, C.P.
Priebe	Readinger	Rodgers	Rush
Schwengels	Slater	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 15:

Carney	Craft	Gallagher	Hultman
Hutchins	Jensen	Junkins	Miller, A.V.
Murray	Nystrom	Palmer	Ramsey
Small	Van Gilst	Yenger	

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

Senate File 409

On motion of Senator Gentleman, Senate File 409, a bill for an act relating to the qualifications of the superintendent of a state mental health institute, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 409) the vote was:

Ayes, 38:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Husak	Kinley	Kudart	Lura
Miller, A.V.	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, none.

Voting present, 1:

Miller, C.P.

Absent or not voting, 11:

Carney	Craft	Hultman	Hutchins
Jensen	Junkins	Murray	Nystrom
Ramsey	Small	Yenger	

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

House File 47

On motion of Senator Drake, House File 47, a bill for an act relating to the contents of a permit or license application, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 47) the vote was:

Ayes, 38:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse

Husak	Kinley	Lura	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, none.

Absent or not voting, 12:

Carney	Craft	Hultman	Hutchins
Jensen	Junkins	Kudart	Murray
Nystrom	Ramsey	Small	Yenger

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

Senate File 41

On motion of Senator Holden, Senate File 41, a bill for an act to repeal the requirement that the board of accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them, with report of committee recommending passage, was taken up for consideration.

Senator Holden asked and received unanimous consent that **House File 160** be substituted for **Senate File 41**.

House File 160

On motion of Senator Holden, House File 160, a bill for an act to repeal the requirement that the board of accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them, with report of committee recommending passage, was taken up for consideration.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 160) the vote was:

Ayes, 37:

Anderson	Bisenius	Briles	Brown
Carr	Coleman	Comito	DeKoster
Deluhery	Doyle	Drake	Dreeszen

Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Husak
Kinley	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rodgers
Rush	Schwengels	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, none.

Absent or not voting, 13:

Baughner	Carney	Craft	Hultman
Hutchins	Jensen	Junkins	Kudart
Murray	Nystrom	Ramsey	Small
Yenger			

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

WITHDRAWN

Senator Holden asked and received unanimous consent that **Senate File 41** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Noncontroversial Calendar)

Senate File 244

On motion of Senator Schwengels, Senate File 244, a bill for an act relating to mortgage loan disclosure, reporting, and record-keeping, with report of committee recommending passage, was taken up for consideration.

Senator Baughner asked and received unanimous consent that action on **Senate File 244** be deferred.

Senate File 397

On motion of Senator Yenger, Senate File 397, a bill for an act relating to the recording of real property conveyance pursuant to probate or marriage dissolution decrees, was taken up for consideration.

Senator Yenger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 397) the vote was:

Ayes, 39:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Gratias
Hester	Holden	Hulse	Husak
Kinley	Lura	Miller, C.P.	Murray
Palmer	Priebe	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 11:

Carney	Craft	Goodwin	Hultman
Hutchins	Jensen	Junkins	Kudart
Miller, A.V.	Nystrom	Ramsey	

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

DISTINGUISHED VISITORS

President Branstad presented a delegation of legislators from the Federal Republic of Nigeria, who was spending March 18, 19 and 20, 1981, visiting and studying the Iowa Legislature's procedures and staff organization as part of an international exchange project between the government of Nigeria and the State Legislative Leaders Foundation.

Members of the delegation included: O.J. Udomesiet, Speaker; F.S. Okpozo, Deputy Speaker; Yusuf Muhtar, Majority Leader; Z. Yakubu, Minority Leader; B.O. Okwara and C.J. Ayabowei, Judiciary Chairmen; Alhaji Bappa Haruna Disina, Whip and E.O. Isemin, Member.

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

The Senate resumed session, President Branstad presiding.

BUSINESS PENDING

House File 293

The Senate resumed consideration of House File 293, previously deferred.

Senator Priebe offered amendment S—3228 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3228 was adopted by a voice vote.

Senator Hulse moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 293) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Husak	Kinley	Lura	Miller, A.V.
Miller, C.P.	Murray	Palmer	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 9:

Carney	Craft	Hultman	Hutchins
Jensen	Junkins	Kudart	Nystrom
Ramsey			

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 moved to reconsider the vote by which House File 293 passed

the Senate on March 20, 1981.

PATRICK J. DELUHERY

INTRODUCTION OF BILLS

Senate File 458, by Committee on Labor and Industrial Relations, a bill for an act relating to the inclusion of employer-established accident, sickness, or retirement plan payments as wages under the unemployment compensation law.

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

Senate File 459, by Committee on County Government, a bill for an act relating to the continuing education requirement of assessors and deputy assessors.

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

Senate File 460, by Committee on County Government, a bill for an act relating to the purposes for which funds from a tax levied by a county can be used by a nonprofit historical society.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

**SENATE JOINT
RESOLUTION 9**

State Government
Lura, Chairperson
Craft
Gallagher

**SENATE JOINT
RESOLUTION 12**

State Government
Slater, Chairperson
Briles
Craft

SENATE FILE 272

State Government
Nystrom, Chairperson
Briles
Slater

SENATE FILE 304

State Government
Lura, Chairperson
Craft
Gallagher

SENATE FILE 319

State Government
Lura, Chairperson
Schwengels
C. Miller

SENATE FILE 329

State Government
Schwengels, Chairperson
Briles
Hutchins

SENATE FILE 334

State Government
Craft, Chairperson
Schwengels
C. Miller

**SENATE JOINT
RESOLUTION 11**

State Government
Gentleman, Chairperson
Schwengels
C. Miller

SENATE FILE 257

State Government
Drake, Chairperson
Briles
Carr

SENATE FILE 302

Ways and Means
Lura, Chairperson
Hester
Palmer

SENATE FILE 315

State Government
Lura, Chairperson
Schwengels
C. Miller

SENATE FILE 328

State Government
Lura, Chairperson
Schwengels
Slater

SENATE FILE 331

Labor and Industrial Relations
Gratias, Chairperson
Goodwin
Kinley

SENATE FILE 342

Labor and Industrial Relations
Hulse, Chairperson
Goodwin
Wells

SENATE FILE 343

Labor and Industrial Relations
Carney, Chairperson
Hultman
Brown

SENATE FILE 354

Cities
Holden, Chairperson
Readinger
Kinley

SENATE FILE 363

Judiciary
Carr, Chairperson
Dreeszen
Small

SENATE FILE 368

Education
Dreeszen, Chairperson
Anderson
Carney

SENATE FILE 372

State Government
Nystrom, Chairperson
Briles
Slater

SENATE FILE 376

Education
DeKoster, Chairperson
Anderson
Carney

SENATE FILE 379

State Government
Lura, Chairperson
Schwengels
C. Miller

SENATE FILE 381

Education
Anderson, Chairperson
Dreeszen
Wells

SENATE FILE 383

Human Resources

SENATE FILE 348

State Government
Slater, Chairperson
Drake
C. Miller

SENATE FILE 355

State Government
Schwengels, Chairperson
Lura
Palmer

SENATE FILE 367

Judiciary
Doyle, Chairperson
Deluhery
Taylor

SENATE FILE 369

Education
Taylor, Chairperson
Wells
Jensen

SENATE FILE 375

Judiciary
Murray, Chairperson
Rush
Baugher

SENATE FILE 378

State Government
Lura, Chairperson
Nystrom
Slater

SENATE FILE 380

Natural Resources
Tieden, Chairperson
Goodwin
Hutchins

SENATE FILE 382

Judiciary
Carr, Chairperson
Taylor
Dreeszen

SENATE FILE 385

State Government

Nystrom, Chairperson
Drake
C. Miller

SENATE FILE 386

State Government
Lura, Chairperson
Schwengels
Carr

SENATE FILE 388

State Government
Nystrom, Chairperson
Lura
Slater

SENATE FILE 390

Ways and Means
Lura, Chairperson
Hester
Van Gilst

SENATE FILE 392

Education
Carney, Chairperson
Dreeszen
Wells

SENATE FILE 401

Ways and Means
Taylor, Chairperson
Hester
Husak

SENATE FILE 406

Judiciary
Coleman, Chairperson
Dreeszen
Kudart

SENATE FILE 410

State Government
Nystrom, Chairperson
Schwengels
Slater

SENATE FILE 414

Transportation
A. Miller, Chairperson

Schwengels, Chairperson
Lura
Palmer

SENATE FILE 387

State Government
Briles, Chairperson
Schwengels
Gallagher

SENATE FILE 389

Commerce
DeKoster, Chairperson
Comito
Rush

SENATE FILE 391

Ways and Means
Lura, Chairperson
Hester
Van Gilst

SENATE FILE 398

State Government
Drake, Chairperson
Gentleman
Palmer

SENATE FILE 405

Ways and Means
Lura, Chairperson
Palmer
Readinger
Van Gilst
Taylor

SENATE FILE 407

Education
Taylor, Chairperson
Jensen
Small

SENATE FILE 411

Transportation
A. Miller, Chairperson
Drake
Comito

SENATE FILE 416

Ways and Means
Palmer, Chairperson

Drake
Comito

SENATE FILE 418

Judiciary
Doyle, Chairperson
Ramsey
Coleman

**SENATE CONCURRENT
RESOLUTION 13**

Rules and Administration
Hultman, Chairperson
Holden
Junkins

HOUSE FILE 303

Human Resources
Vande Hoef, Chairperson
Nystrom
Gentleman

HOUSE FILE 465

Agriculture
Van Gilst, Chairperson
Taylor
Husak

HOUSE FILE 470

Ways and Means
Priebe, Chairperson
Hester
Lura

HOUSE FILE 505

Ways and Means
Lura, Chairperson
Van Gilst
Hester

HOUSE FILE 559

Commerce
DeKoster, Chairperson
Comito
Rush

HOUSE FILE 724

Education
Gratias, Chairperson
Carney
Wells

Taylor
Lura

SENATE FILE 427

Labor and Industrial Relations
Carney, Chairperson
Hulse
Wells

SENATE RESOLUTION 11

Rules and Administration
Holden, Chairperson
Junkins
Hulse

HOUSE FILE 453

Commerce
Holden, Chairperson
DeKoster
Husak

HOUSE FILE 467

State Government
Lura, Chairperson
Craft
Gallagher

HOUSE FILE 504

Ways and Means
Hester, Chairperson
Rush
Craft

HOUSE FILE 509

Commerce
DeKoster, Chairperson
Comito
Rush

HOUSE FILE 572

County Government
Wells, Chairperson
Brown
Yenger

HOUSE FILE 737

Energy
Yenger, Chairperson
Readinger
Doyle

**HOUSE CONCURRENT
RESOLUTION 2**

Rules and Administration
Hultman, Chairperson
Junkins
Holden

SSB 334

Labor and Industrial Relations
Goodwin, Chairperson
Carney
Anderson

SSB 336

Education
Brown, Chairperson
Wells
Jensen

SSB 338

Natural Resources
Van Gilst, Chairperson
Tieden
Goodwin

SSB 341

Ways and Means
Van Gilst, Chairperson
Craft
Hester

SSB 343

County Government
C. Miller, Chairperson
Yenger
Brown

SSB 345

Judiciary
Doyle, Chairperson
Baughner
Kudart

SSB 347

County Government
Vande Hoef, Chairperson
Hester
Brown

SSB 333

Labor and Industrial Relations
Gratias, Chairperson
Hultman
Kinley

SSB 335

Labor and Industrial Relations
Carney, Chairperson
Hulse
Brown

SSB 337

Judiciary
Baughner, Chairperson
Doyle
Carr

SSB 340

State Government
Lura, Chairperson
Briles
Slater

SSB 342

County Government
Priebe, Chairperson
Vande Hoef
Goodwin

SSB 344

Judiciary
Rush, Chairperson
Kudart
Lura

SSB 346

State Government
Slater, Chairperson
Briles
Schwengels

SSB 348

Ways and Means
Craft, Chairperson
Hultman
Junkins
Holden
Rush

SSB 349

Human Resources
Hulse, Chairperson
Vande Hoef
A. Miller

SSB 351

Ways and Means
Holden, Chairperson
Palmer
Readinger

SSB 352

Ways and Means
Holden, Chairperson
Van Gilst
Taylor

SSB 354

State Government
Lura, Chairperson
Briles
Slater

SSB 355

Natural Resources
Tieden, Chairperson
Gentleman
Goodwin
Hutchins
Van Gilst

SSB 356

Commerce
Jensen, Chairperson
DeKoster
Deluhery

STUDY BILLS RECEIVED

S.S.B. 362 Agriculture

Providing that the Iowa Family Farm Development Authority be authorized to establish an additional loan program to beginning farmers and to issue limited obligations therefor and to amend and clarify certain other provisions of Chapter 175, Code 1981.

S.S.B. 363 Judiciary

Relating to the statute of limitations in actions to prove the paternity of illegitimate children.

S.S.B. 364 Judiciary

Relating to the confidentiality of paternity proceedings, evidence, and records and providing a penalty.

S.S.B. 365 Judiciary

Relating to the payment of costs in certain civil and administrative actions to which the state is a party.

S.S.B. 366 Cities

Redefining the types of projects for which industrial revenue bonds may be issued under chapter 419 for the purpose of including

facilities to be used for the sanitary disposal for recycling of solid waste and providing for its effect upon publication.

NOTICE OF HEARING

NORMAN L. PAWLEWSKI, appointed by the Governor as the Commissioner of Public Health, will appear before the Human Resources Committee on April 1, at 7 p.m., Room 22.

JULIA GENTLEMAN, Chairperson

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 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 March, 1981.

Senate File 305.

LINDA HOWARTH MACKAY
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. F.	441	State Government
S. F.	442	State Government
S. F.	443	State Government
S. F.	444	Labor and Industrial Relations
S. F.	446	State Government

COMMUNICATIONS

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

DEPARTMENT OF JUSTICE

A copy of the Report on the Prosecutor Internship Program for the fiscal year 1980 prepared by the Attorney General of the State of Iowa, pursuant to Section 13.2(12), Code 1981.

OFFICE FOR PLANNING AND PROGRAMMING

The second annual report on the Juvenile Victim Restitution Program prepared by the Iowa State Youth Coordinator's Office, copies of which have been distributed to members of the Senate.

FURTHER
REPORTS OF COMMITTEE MEETINGS

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 888 of the Senate Journal.

Final Bill Action: Senate File 459, a bill for an act relating to the continuing education requirement of assessors and deputy assessors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe and Vande Hoef. Nays, none. Absent or not voting, 2: Waldstein and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 460, a bill for an act relating to the purposes for which funds from a tax levied by a county can be used by a nonprofit historical society.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Briles, Wells, Brown, Goodwin, Hester, C. Miller and Vande Hoef. Nays, none. Voting present, 1: Priebe. Absent or not voting, 2: Waldstein and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

LABOR AND INDUSTRIAL RELATIONS*

*A previous report of this meeting was recorded on page 891 of the Senate Journal.

Final Bill Action: Senate File 458, a bill for an act relating to the inclusion of employer-established accident, sickness, or retirement plan payments as wages under the unemployment compensation law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hulse, Carney, Anderson, Brown, Goodwin, Gratias and Hultman. Nays, none. Absent or not voting, 2: Kinley and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 19, 1981, 10:20 a.m

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Hutchins and Nystrom.

Members Absent: none.

Other Committee Business: Approved Chair's recommendations for 1982-83 budgets and directed that they be drafted into bill form.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 19, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Hulse and C. Miller.

Members Absent: Gratias.

Other Committee Business: Approved SSB 359 and submitted it to the full Appropriations Committee.

Adjourned: 9:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 19, 1981, 9:50 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Lura and Wells.

Members Absent: Taylor (excused).

Other Committee Business: Appropriations decisions.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 19, 1981, 9:45 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Recommendations regarding the DOT budget.

Adjourned: 11:50 a.m.

STATE GOVERNMENT

Convened: March 19, 1981, 3:05 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Drake, Gallagher, Gentleman, C. Miller, Palmer and Schwengels.

Members Absent: Craft (excused), Hutchins (excused) and Tieden.

Final Bill Action: Senate File 355, a bill for an act requiring the Iowa Housing Finance Authority to expend at least fifty percent of proceeds from bond sales for the construction of new housing.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Nystrom, Lura, Slater, Briles, Drake, Gallagher, Gentleman, C. Miller and Schwengels. Nays, 2: Palmer and Carr. Absent or not voting, 3: Craft, Hutchins and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 370, a bill for an act reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 11: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, C. Miller, Palmer and Schwengels. Nays, none. Absent or not voting, 3: Craft, Hutchins and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 387, a bill for an act to increase the maximum allowable value of merchandise prizes in a raffle conducted by a fair or qualified organization.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, C. Miller, Palmier and Schwengels. Nays, none. Absent or not voting 3: Craft, Hutchins and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 327, as amended, as a committee bill; assigned bills to subcommittees; appointed subcommittees for Governor's appointees, Carolyn Farrell and Neil Ronfeldt.

Adjourned: 3:40 p.m.

PRESENTATION OF VISITORS

President Branstad welcomed the following visitors who were present in the Senate gallery:

Twenty-four students from the Ida Grove Community High School, Ida Grove, Iowa, accompanied by Karen Hammer and Judy Bowman. Senator Dreeszen.

AMENDMENT FILED

S—3228 H.F. 293 Berl E. Priebe

ADJOURNMENT

- On motion of Senator Holden, the Senate adjourned at 10:20 a.m., until 10:00 a.m., Monday, March 23, 1981.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 23, 1981

The Senate met in regular session at 10:12 a.m., President Branstad presiding.

Prayer was offered by the Reverend Dan Lynch, pastor of the St. Mary's Catholic Church, Storm Lake, Iowa.

The Journal of Friday, March 20, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Reams, M.D., New Hampton, Iowa.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

MOTION TO RECONSIDER WITHDRAWN

Senate File 48

Senator Kudart withdrew the motion to reconsider Senate File 48, a bill for an act providing for the joint financing by public agencies of electric power facilities and other facilities, filed by him on March 18, 1981, and found on page 866 of the Senate Journal.

UNFINISHED BUSINESS (Deferred February 23, 1981)

Senate File 29

The Senate resumed consideration of Senate File 29, a bill for an act relating to the costs of providing a record of teacher contract termination proceedings, deferred on February 23, 1981.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 29) the vote was:

Ayes, 37:

Baughner	Bisenius	Briles	Brown
Carney	Comito	Craft	DeKoster
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Murray	Nystrom	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Vande Hoef	Van Gilst	Waldstein
Yenger			

Nays, 9:

Anderson	Carr	Coleman	Deluhery
Doyle	Miller, C.P.	Palmer	Slater
Wells			

Absent or not voting, 4:

Holden	Priebe	Ramsey	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.

UNFINISHED BUSINESS (Deferred March 4, 1981)

Senate File 258

The Senate resumed consideration of Senate File 258, a bill for an act to provide that implements of husbandry shall be subject to maximum axle and gross vehicle weight limitations, and amendment S—3086 by Senators Drake and Jensen, deferred on March 4, 1981.

Senator Taylor asked unanimous consent that Senate File 258 be referred to the committee on Agriculture.

Senator Taylor withdrew his request.

Senator Hultman asked and received unanimous consent that **Senate File 258** be referred to the committee on **Transportation**.

UNFINISHED BUSINESS
(Deferred March 20, 1981)

Senate File 244

The Senate resumed consideration of Senate File 244, a bill for an act relating to mortgage loan disclosure, reporting and record-keeping, deferred on March 20, 1981.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 244) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 1:

Deluhery

Absent or not voting, 4:

Holden	Murray	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.

MOTION TO RECONSIDER DEFERRED

Senate File 199

Senator Ramsey called up the motion to reconsider Senate File 199 filed by him on February 16, 1981, and found on page 475 of the Senate Journal.

Senator Hultman asked and received unanimous consent that action on the motion to reconsider **Senate File 199** be **deferred**.

MOTION TO RECONSIDER LOST

Senate File 197

Senator Schwengels called up the motion to reconsider Senate File 197, a bill for an act relating to liquor and beer control on Sunday, amending a prerequisite for Sunday sales of beer and liquor, and extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday, filed by him on March 5, 1981, found on page 682 of the Senate Journal and moved its adoption.

A record roll call was taken.

On the question "Shall the motion to reconsider be adopted?" (S.F. 197) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Anderson	Bisenius	Brown	Carney
Carr	Coleman	Doyle	Gallagher
Gentleman	Hutchins	Junkins	Kinley
Kudart	Lura	Miller, C.P.	Murray
Nystrom	Palmer	Readinger	Rodgers
Rush	Schwengels	Slater	Wells
Yenger			

Nays, 21:

Baughner	Briles	Comito	Craft
DeKoster	Deluhery	Drake	Dreeszen
Goodwin	Hester	Hulse	Hultman
Husak	Jensen	Miller, A.V.	Ramsey
Small	Taylor	Vande Hoef	Van Gilst
Waldstein			

Absent or not voting, 4:

Gratias	Holden	Priebe	Tieden
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The motion lost.

MOTION TO RECONSIDER ADOPTED

Senator Comito called up the motion to reconsider Senate File 310 filed by him on March 9, 1981, found on page 717 of the Senate Journal and moved its adoption.

A non record roll call was taken.

The ayes were 33, nays 15.

The motion prevailed.

Senator Comito moved to reconsider the vote by which Senate File 310 went to its last reading, which motion prevailed by a voice vote.

Senate File 310

On motion of Senator Briles, Senate File 310, a bill for an act increasing from four percent to eight percent the penalty to be paid to redeem property sold for delinquent taxes, was taken up for reconsideration.

Senator Bisenius offered amendment S—3232 filed by him from the floor to strike everything after the enacting clause of the bill and to the title page of the bill.

Senator Briles raised the point of order that amendment S—3232 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3232 out of order.

The Chair ruled amendment S—3235 filed by Senator Bisenius from the floor to amendment S—3232 out of order.

Senator Bisenius asked and received unanimous consent that action on **Senate File 310** be **deferred**.

BUSINESS PENDING

Senate File 199

The Senate resumed consideration of the motion to reconsider Senate File 199 by Senator Ramsey, previously deferred.

Senator Ramsey moved the adoption of the motion to reconsider.

A non record roll call was taken.

The ayes were 47, nays 1.

The motion prevailed.

Senator Ramsey moved to reconsider the vote by which Senate File 199 went to its last reading, which motion prevailed by a voice vote.

Senate File 199

On motion of Senator Ramsey, Senate File 199, a bill for an act authorizing the appointment of legal counsel for county officers under certain circumstances, was taken up for reconsideration.

Senator Ramsey offered amendment S—3132 filed by him on March 5, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3132 was adopted by a voice vote.

Senator Miller of Des Moines withdrew amendment S—3230 filed by him from the floor to page 1 of the bill.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 199) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Ramsey	Readinger
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Holden

Priebe

Rodgers

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

RECESS

On motion of Senator Hultman, the Senate recessed at 12:07 p.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 461, by Junkins, a bill for an act relating to preferred patronage dividends paid by cooperatives.

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

Senate File 462, by Committee on County Government, a bill for an act relating to honoring county warrants.

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

Senate File 463, by Committee on Labor and Industrial Relations, a bill for an act exempting certain agricultural and other employers from the workers' compensation law, effective January 1.

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

Senate File 464, by Committee on State Government, a bill for an act creating the criminal justice planning agency and the criminal justice coordinating council, prescribing powers and duties, transferring existing programs, and abolishing the Iowa crime commission.

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

Senate File 465, by Committee on Labor and Industrial Relations, a bill for an act relating to unemployment compensation benefits by deducting only certain pension and retirement payments.

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

Senate File 466, by Committee on Ways and Means, a bill for an act relating to the processing exemption in the state sales, services, and use tax by including in the definition of services used in processing of tangible personal property, the reconditioning or repairing of used tangible property held for resale upon which the sales, services, or use tax will be paid when the property is sold.

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

Senate File 467, by Committee on Human Resources, a bill for an act relating to reports of reportable disease.

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

UNFINISHED BUSINESS (Deferred March 6, 1981)

Senate File 300

The Senate resumed consideration of Senate File 300, a bill for an act relating to the powers of banks with respect to the compensation of directors, permissible accounts and related charges, places of doing business, permissible investments, loan charges, contracts for data processing services, and cash reserve requirements, deferred on March 6, 1981.

Senator Holden offered amendment S—3241 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3241 was adopted by a voice vote.

Senator Carr offered amendment S—3149 filed by him on March 6, 1981, to page 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3149 be adopted?" (S.F. 300) the vote was:

Ayes, 14:

Anderson	Brown	Carr	Doyle
Gallagher	Husak	Junkins	Kinley
Miller, A.V.	Palmer	Rodgers	Slater
Small	Wells		

Nays, 36:

Baughner	Bisenius	Briles	Carney
Coleman	Comito	Craft	DeKoster
Deluhery	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Hutchins	Jensen
Kudart	Lura	Miller, C.P.	Murray
Nystrom	Priebe	Ramsey	Readinger
Rush	Schwengels	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Yenger

Amendment S—3149 lost.

Senator Nystrom took the chair at 4:40 p.m.

Senator Palmer offered amendment S—3143 filed by him on March 6, 1981, to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3143 be adopted?" (S.F. 300) the vote was:

Ayes, 17:

Anderson	Baughner	Bisenius	Brown
Carr	Craft	Doyle	Gallagher
Gentleman	Junkins	Kinley	Palmer
Ramsey	Readinger	Rush	Small
Wells			

Nays, 31:

Briles	Coleman	Comito	DeKoster
Deluhery	Drake	Dreeszen	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Priebe	Rodgers
Schwengels	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Yenger	

Absent or not voting, 2:

Carney Slater

Amendment S—3143 lost.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 300) the vote was:

Ayes, 47:

Anderson	Baugher	Bisenius	Briles
Brown	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Craft

Absent or not voting, 2:

Carney Slater

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

UNFINISHED BUSINESS (Deferred March 4, 1981)

Senate File 289

The Senate resumed consideration of Senate File 289, a bill for an act relating to trespass on private property and imposing a penalty, and division S—3108B by Senator Baugher, deferred on March 4, 1981.

Senator Baugher withdrew division S—3108B to page 1 of the bill, deferred on March 4, 1981.

Senator Tieden offered amendment S—3181 filed by him on March 12, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3181 was adopted by a voice vote.

Senator Tieden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 289) the vote was:

Ayes, 44:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	Doyle	Drake	Dreeszen
Gallagher	Goodwin	Gratias	Hester
Holden	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 6:

Baugher	DeKoster	Deluhery	Gentleman
Hultman	Ramsey		

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 235

Senator Jensen called up the motion to reconsider Senate File 235, a bill for an act to prohibit the possession and operation of a radar jamming device and providing a penalty, filed by him on March 13, 1981, found on page 794 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 235) the vote was:

Ayes, 10:

Anderson	Baughner	Deluhery	Hulse
Jensen	Kinley	Miller, A.V.	Palmer
Readerger	Yenger		

Nays, 39:

Bisenius	Briles	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hultman	Husak
Hutchins	Junkins	Kudart	Lura
Miller, C.P.	Nystrom	Priebe	Ramsey
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Absent or not voting, 1:

Murray

The motion lost.

Amendment S—3233 filed by Senator Jensen from the floor to amendment S—3130 was out of order.

The Chair ruled the motion to reconsider Senate File 235 filed by Senator Yenger on March 13, 1981, and found on page 795 of the Senate Journal and the motion to reconsider Senate File 235 filed by Senator Miller of Cerro Gordo on March 13, 1981, and found on page 795 of the Senate Journal, out of order.

BUSINESS PENDING

Senate File 310

The Senate resumed consideration of Senate File 310, previously, deferred.

Senator Bisenius offered amendment S—3237 filed by him from the floor to strike everything after the enacting clause of the bill and to the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3237 be adopted?" (S.F. 310) the vote was:

Ayes, 7:

Baughner	Bisenius	Carr	Gratias
Hultman	Taylor	Tieden	

Nays, 42:

Anderson	Briles	Brown	Carney
Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Absent or not voting, 1:

Murray

Amendment S—3237 lost.

Senator Priebe offered amendment S—3242 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3242 was adopted by a voice vote.

Senator Hutchins offered amendment S—3236 filed by Senators Hutchins, Junkins and Deluhery from the floor to page 1 of the bill.

Senator Briles raised the point of order that amendment S—3236 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3236 in order.

Senator Hutchins moved the adoption of amendment S—3236, which motion prevailed by a voice vote.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 310) the vote was:

Ayes, 38:

Baughner	Briles	Brown	Carney
Comito	Craft	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 11:

Anderson	Bisenius	Carr	Coleman
DeKoster	Deluhery	Doyle	Gallagher
Husak	Priebe	Tieden	

Absent or not voting, 1:

Murray

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

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 14

By: Small and Slater

1 *Whereas*, March 24, 1980 is the date of the assassina-
 2 tion of Archbishop Oscar Romero of El Salvador while
 3 saying mass; and
 4 *Whereas*, the United States state department on
 5 February 19 released the Reagan administration's position
 6 on the situation in El Salvador and has articulated the
 7 administration's policy toward that country; and
 8 *Whereas*, the administration's policy is one which
 9 seeks to convert an internal political and social
 10 problem into an international confrontation; and
 11 *Whereas*, we support the right of the people of El
 12 Salvador to determine their own destiny; *Now Therefore*,
 13 *Be It Resolved by the Senate, the House Concurring*,
 14 That the general assembly of the state of Iowa, in the
 15 name of justice and humanity, and to further the best
 16 long-term interests of Iowa and the nation, appeals to

- 17 the Iowa congressional delegation and President Reagan to
- 18 halt immediately military aid to El Salvador and encourage
- 19 a political solution to that country's current problems.

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

APPENDIX

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 20, 1981, the Governor approved and transmitted to the Secretary of the State the following bill:

H.F. 211—Relating to the salary rate to be paid to judicial magistrates in counties which appoint an additional judicial magistrate and providing an effective date.

EXPLANATIONS OF VOTES

MR. PRESIDENT: When the vote was taken on the bills listed below, I was absent from the Senate.

Had I been present, I would have voted "aye" on Senate Joint Resolution 10, Senate Files 278, 377, 397 and 409 and House Files 47, 160 and 293.

LOWELL L. JUNKINS

MR. PRESIDENT: I was necessarily absent from the Senate on Thursday afternoon, March 19, and Friday, March 20.

Had I been present, I would have voted "aye" on Senate Joint Resolution 10, Senate Files 278, 377, 397 and 409 and House Files 47, 160 and 293.

CLARENCE S. CARNEY

MR. PRESIDENT: I was necessarily absent from the Senate on March 20, 1981.

Had I been present, I would have voted "aye" on Senate Joint Resolution 10, Senate Files 278, 377, 397 and 409 and House Files 47, 160 and 293.

C.W. BILL HUTCHINS

COMMUNICATION FROM THE SECRETARY OF STATE

March 20, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

I hereby certify that Senate File 177 was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, on March 6, 1981, and in the Marshalltown Times-Republican, Marshalltown, Iowa, on March 16, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

BILL ASSIGNED TO COMMITTEE

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

S. F. 457 Judiciary

STUDY BILLS RECEIVED

S.S.B. 367 Energy

Allowing the operation of golf carts on the streets of cities of less than five thousand population.

S.S.B. 368 Cities

Permitting cities to issue and sell pledge orders to refund revenue bonds, pledge orders, and other obligations, and taking effect upon publication.

S.S.B. 369 County Government

Relating to office hours for county offices.

S.S.B. 370 County Government

Relating to administration of county funds and records.

S.S.B. 371 Judiciary

Relating to the clarification of the enforcement of judgment liens against homestead property and subsequently acquired property.

S.S.B. 372 Human Resources

Relating to the chronic renal disease program within the department of public health.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 300 passed the Senate on March 23, 1981.

EDGAR H. HOLDEN

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 58, the following Senators were appointed to subcommittees of standing committees:

STATE GOVERNMENT: As a member of the Campaign Finance Disclosure Commission:

CAROLYN FARRELL
Lura, Chairperson
Craft
Gallagher

STATE GOVERNMENT: As a member of the Iowa Commission for the Blind:

ARLENE DAYHOFF
Lura, Chairperson
Craft
Gallagher

STATE GOVERNMENT: As a member of the Iowa Housing Finance Authority:

NEIL RONFELDT
Lura, Chairperson
Craft
Gallagher

STATE GOVERNMENT: As members of the Professional & Occupational Regulation Commission:

RUSSELL HYDE
SHEILA SIDLES
Lura, Chairperson
Craft
Gallagher

REPORTS OF INVESTIGATING COMMITTEES (Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Gene Wiese, Manning, Carroll County, Iowa, for appointment as a member of the Iowa Natural Resources Council under the provisions of Section 455A.4, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Baxter Freese, Wellman, Washington County, Iowa, for appointment as a member of the State Conservation Commission under the provisions of Section 107.1, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of Marian Pike, Whiting, Monona County, Iowa, for reappointment as a member of the State Conservation Commission under the provisions of Section 107.1, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

Pursuant to Senate Rule 58, the Committee on Natural Resources assigned to investigate the character and qualifications of F. Richard Thornton, Des Moines, Polk County, Iowa, for appointment as a member of the State Conservation Commission under the provisions of Section 107.1, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON NATURAL RESOURCES
FORREST V. SCHWENGELS, Chairperson

FURTHER
REPORTS OF COMMITTEE MEETINGS

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 595 of the Senate Journal.

Final Bill Action: Senate File 462, a bill for an act relating to honoring county warrants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

LABOR AND INDUSTRIAL RELATIONS*

*A previous report of this meeting was recorded on page 891 of the Senate Journal.

Final Bill Action: Senate File 463, a bill for an act exempting certain agricultural and other employers from the workers' compensation law, effective January 1.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hulse, Carney, Anderson, Brown, Goodwin, Gratias and Hultman. Nays, none. Absent or not voting, 2: Kinley and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 465, a bill for an act relating to unemployment compensation benefits by deducting only certain pension and retirement payments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hulse, Carney, Anderson, Brown, Goodwin, Gratias and Hultman. Nays, none. Absent or not voting, 2: Kinley and Wells.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 914 of the Senate Journal.

Final Bill Action: Senate File 464, a bill for an act creating the criminal justice planning agency and the criminal justice coordinating council, prescribing powers and duties, transferring existing programs, and abolishing the Iowa Crime Commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Nystrom, Lura, Slater, Briles, Carr, Schwengels, Drake, Gallagher, Gentleman and C. Miller. Nays, none. Voting present, 1: Palmer. Absent or not voting, 3: Craft, Hutchins and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

WAYS AND MEANS*

*A previous report of this meeting was recorded on page 893 of the Senate Journal.

Final Bill Action: Senate File 466, a bill for an act relating to the processing exemption in the state sales, services, and use tax by including in the definition of services used in processing of tangible personal property, the reconditioning or repairing of used tangible property held for resale upon which the sales, services, or use tax will be paid when the property is sold.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Readinger, Rodgers, Hester, Holden, Husak, Lura, Priebe, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 5: Craft, Hultman, Junkins, Palmer and Ramsey.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

CITIES

Convened: March 23, 1981, 9:10 a.m.

Members Present: Readinger, Chairperson; Comito, Vice Chairperson; A. Miller, Ranking Member; Carney, Slater, Waldstein, Wells and Kinley (arrived 9:20 a.m.).

Members Absent: Holden.

Other Committee Business: Assigned SSBs 361, 366 and 368 and Senate Files 422 and 424 to subcommittees; approved SSB 264 as a committee bill; Bob Joslin, Bond Council, gave a brief presentation.

Adjourned: 10:00 a.m.

HUMAN RESOURCES

Convened: March 19, 1981, 1:34 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Coleman, Drake, Gratias, Hulse (arrived 1:45 p.m.), A. Miller, Nystrom (arrived 1:55 p.m.), Slater and Vande Hoef.

Members Absent: Carr.

Final Bill Action: Senate File 467, a bill for an act relating to reports of reportable disease.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gentleman, Yenger, C. Miller, Coleman, Drake, Gratias, A. Miller, Slater and Vande Hoef. Nays, none. Absent or not voting, 3: Carr, Hulse and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:11 p.m.

AMENDMENTS FILED

S—3229	S. F.	197	Forrest V. Schwengels
S—3230	S. F.	199	Charles P. Miller
S—3231	S. F.	412	George R. Kinley
S—3232	S. F.	310	Stephen W. Bisenius
S—3233	S. F.	235	John W. Jensen
S—3234	S. F.	24	Arthur A. Small, Jr.
S—3235	S. F.	310	Stephen W. Bisenius
S—3236	S. F.	310	C.W. Bill Hutchins
			Lowell L. Junkins
			Patrick J. Deluhery
S—3237	S. F.	310	Stephen W. Bisenius
S—3238	S. F.	402	Berl E. Priebe
S—3239	S. F.	402	Berl E. Priebe
S—3240	H.F.	440	Bob Carr
			Stephen W. Bisenius
S—3241	S. F.	300	Edgar H. Holden
S—3242	S. F.	310	Berl E. Priebe
S—3243	S. F.	356	Gary L. Baugher

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:27 p.m., until 9:00 a.m., Tuesday, March 24, 1981.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
 FORTY-SIXTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Tuesday, March 24, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend David F. Raymond, pastor of the Congregational United Church of Christ, Newton, Iowa.

The Journal of Monday, March 23, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Wettach, M.D., Mount Pleasant, Iowa.

INTRODUCTION OF BILLS

Senate File 468, by Committee on Education, a bill for an act relating to the payment of tuition and transportation costs of certain children in charitable institutions and licensed boarding homes.

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

Senate File 469, by Committee on Education, a bill for an act relating to tuition payments for attendance of certain Iowa pupils in public schools outside the state.

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

Senate File 470, by Committee on Education, a bill for an act to require examinations for certain teachers.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Vande Hoef for the day on request of Senator Hultman; Senator Slater for March 24, 25 and 26, 1981, on request of Senator Junkins.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:13 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., Senator Carney 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 March 24, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 16, a resolution providing for a joint convention of the General Assembly to be held on April 22, 1981, for the Pioneer Lawmaker's program.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 16

By: Pope and Avenson

1 *Whereas*, the Sixty-ninth General Assembly is ad-
 2 vised of a meeting of the Pioneer Lawmakers Associa-
 3 tion to be held in the Historical Building on Wednes-
 4 day, April 22, 1981; and,
 5 *Whereas*, the Pioneer Lawmakers request the oppor-
 6 tunity to meet formally with the General Assembly,
 7 *Now Therefore*,
 8 *Be It Resolved by the House of Representatives, the*
 9 *Senate Concurring*, That the General Assembly meet in
 10 joint session in the House chamber on Wednesday, April
 11 22, 1981 at 1:30 p.m. and that the Pioneer Lawmakers
 12 be invited to attend and present a program on that
 13 occasion and that the Speaker of the House of Repre-
 14 sentatives and the President of the Senate be desig-
 15 nated to deliver the invitation to them.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 471, by Committee on Human Resources, a bill for an act relating to inspections of beauty salons and barber shops, effective upon publication.

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

Senate File 472, by Committee on Human Resources, a bill for an act relating to the issuance by the commissioner of health of citations to health care facilities.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Murray called up the motion to reconsider Senate File 24 filed by him on February 24, 1981, found on page 562 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 24) the vote was:

Ayes, 29:

Anderson	Brown	Carr	Coleman
DeKoster	Deluhery	Doyle	Drake
Gallagher	Husak	Hutchins	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Small	Van Gilst	Waldstein
Yenger			

Nays, 17:

Bisenius	Briles	Carney	Comito
Craft	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Jensen	Lura	Taylor
Tieden			

Absent or not voting, 4:

Baughner

Slater

Vande Hoef

Wells

The motion prevailed.

Senator Murray moved to reconsider the vote by which Senate File 24 went to its last reading, which motion prevailed by a voice vote.

Senate File 24

On motion of Senator Holden, Senate File 24, a bill for an act relating to the requirement that plans and specifications for new health care facilities and remodeling of or additions to existing health care facilities be submitted to the department of health for preliminary inspection and approval or recommendations, was taken up for reconsideration.

Senator Holden asked and received unanimous consent that action on **Senate File 24** be deferred.

EXPLANATION OF VOTE

There was a malfunction of the Voting Machine when an initial vote on the Motion to Reconsider the vote by which Senate File 24 passed the Senate necessitating a second vote.

/ Senator Wells, who was absent on the second vote, voted "aye" on the first roll call on Senate File 24.

LINDA HOWARTH MACKAY
Secretary of the Senate

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 48, the following technical correction was made:

1. Amendment S—3216, page 1, line 10, the word “of” was changed to “for”.

LINDA HOWARTH MACKAY
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 23, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 200—Relating to the calendar of prisoners in the county jail or detention facility.

H.F. 414—Relating to funds available to school districts, including authorizing the levy of a tax for cash reserve, and the imposition of an income surtax retroactive to January 1, 1981, and including the computation of stateschool foundation aid, and providing that the act takes effect upon its publication.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	461	Commerce
S. C.R.	14	Rules and Administration

STUDY BILLS RECEIVED

S.S.B. 373 Judiciary

To repeal paid leave of absence for state and local government employees for service in the national guard.

S.S.B. 374 Natural Resources

To revise the statutes governing the mining of ores and minerals other than coal.

S.S.B. 375 Agriculture

Relating to the frequency of inspections of food service operations.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 58, I hereby request that the name of Forrest Mitchell be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JOE BROWN

REPORTS OF INVESTIGATING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Human Resources assigned to investigate the character and qualifications of Gary P. Riedmann, Ankeny, Polk County, Iowa, for reappointment as Director of the Iowa Department of Substance Abuse under the provisions of Section 125.8, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON HUMAN RESOURCES
JULIA GENTLEMAN, Chairperson

Pursuant to Senate Rule 58, the Committee on Human Resources assigned to investigate the character and qualifications of Wendell R. Benson, Marshalltown, Marshall County, Iowa, for appointment as a member of the State Health Facilities Council under the provisions of Section 135.62, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON HUMAN RESOURCES
JULIA GENTLEMAN, Chairperson

Pursuant to Senate Rule 58, the Committee on Human Resources assigned to investigate the character and qualifications of Sara Wissing, Davenport, Scott County, Iowa, for appointment as a member of the State Health Facilities Council under the provisions of Section 135.62, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON HUMAN RESOURCES
JULIA GENTLEMAN, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Carolyn Farrell, Dubuque, Dubuque

County, Iowa, for appointment as a member of the Campaign Finance Disclosure Commission under the provisions of Section 56.9, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Arlene Dayhoff, Cedar Rapids, Linn County, Iowa, for reappointment as a member of the Iowa Commission for the Blind under the provisions of Section 601B.1, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Neil Ronfeldt, Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Iowa Housing Finance Authority under the provisions of Section 220.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Russell Hyde, Denison, Crawford County, Iowa, for reappointment as a member of the Professional and Occupational Regulation Commission under the provisions of Section 2B.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

Pursuant to Senate Rule 58, the Committee on State Government assigned to investigate the character and qualifications of Sheila Sides, Centerville, Appanoose County, Iowa, for reappointment as a member of the Professional and Occupational Regulation Commission under the provisions of Section 2B.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
JOHN N. NYSTROM, Chairperson

**FURTHER
REPORT OF COMMITTEE MEETING**

HUMAN RESOURCES*

*A previous report of this meeting was recorded on pages 935-936 of the Senate Journal.

Final Bill Action: Senate File 471, a bill for an act relating to inspections of beauty salons and barber shops, effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Gentleman, Yenger, Gratias, Hulse, Nystrom, Slater and Vande Hoef. Nays, 2: Coleman and A. Miller. Absent or not voting, 2: C. Miller and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 472, a bill for an act relating to the issuance by the commissioner of health of citations to health care facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gentleman, Yenger, C. Miller, Coleman, Drake, Gratias, A. Miller, Slater and Vande Hoef. Nays, none. Absent or not voting, 3: Carr, Hulse and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 24, 1981, 8:07 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Van Gilst and Waldstein.

Members Absent: Vande Hoef (excused).

Final Bill Action: House File 465, a bill for an act relating to the preparation of the farm unit soil conservation folder and plan.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Van Gilst and Waldstein. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 9:00 a.m.

COMMERCE

Convened: March 23, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush (arrived 3:15 p.m.).

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 139.

Adjourned: 4:00 p.m.

EDUCATION

Convened: March 19, 1981, 3:05 p.m.

Members Present: Gratias, Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: Carney, Vice Chairperson (excused).

Final Bill Action: Senate File 468, a bill for an act relating to the payment of tuition and transportation costs of certain children in charitable institutions and licensed boarding homes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gratias, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none. Absent or not voting, 1: Carney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 469, a bill for an act relating to tuition payments for attendance of certain Iowa pupils in public schools outside the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gratias, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none. Absent or not voting, 1: Carney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 470, a bill for an act to require examinations for certain teachers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Anderson, DeKoster, Dreeszen, Jensen, Small and Taylor. Nays, 2: Gratias and Wells. Absent or not voting, 1: Carney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 157, a bill for an act relating to the authority of school districts to sell, lease, or dispose of school property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3244.

Final Vote: Ayes, 8: Gratias, Brown, Anderson, DeKoster, Dreeszen, Jensen, Taylor and Wells. Nays, 1: Small. Absent or not voting, 1: Carney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned House File 724 to subcommittee; deferred action on Senate Files 97 and 107.

Adjourned: 4:10 p.m.

EDUCATION

Convened: March 23, 1981, 1:38 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Other Committee Business: George Logan, Olen Adams, Russell Farrell, Keith Habegger and Glen Jaspers, gave a presentation and answered questions pertaining to private schools in Iowa.

Adjourned: 2:45 p.m.

HUMAN RESOURCES

Convened: March 23, 1981, 3:09 p.m.

Members Present: Gentleman, Chairperson, Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman, Drake, Gratiyas, Hulse, A. Miller, Nystrom and Vande Hoef.

Members Absent: Slater.

Other Committee Business: Assigned bill to subcommittee; discussed SSB 251 and Senate File 249.

Adjourned: 3:59 p.m.

STATE GOVERNMENT

Convened: March 23, 1981, 1:35 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels, Tieden and Craft (arrived 1:45 p.m.).

Members Absent: none.

Final Bill Action: Senate File 329, a bill for an act allowing a licensing board to request an audit of a continuing education program.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 415, a bill for an act to provide increased retirement benefits and contributions under the Iowa public employees' retirement system for certain district associate judges and judicial magistrates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Nystrom, Lura, Briles, Carr, Craft, Gentleman, Hutchins, C. Miller, Palmer and Schwengels. Nays, 1; Tieden. Absent or not voting, 3: Slater, Drake and Gallagher.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSBs 322 and 357 as committee bills; discussed and deferred action on Senate Files 144 and 410; approved Governor's appointees Russell C. Hyde, Sheila Sidles, Arlene Dayhoff, Carolyn Farrell and Neil Ronfeldt.

Adjourned: 2:30 p.m.

TRANSPORTATION

Convened: March 24, 1981, 1:35 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Coleman, Ranking Member; Bisenius, Comito, Doyle, Hutchins, Murray, Nystrom and A. Miller (arrived 1:58 p.m.).

Members Absent: none.

Final Bill Action: House File 164, a bill for an act to authorize the state department of transportation to transfer unused right of way by quit claim deed to a county for the use and benefit of the county conservation board.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Drake, Jensen, Bisenius, Coleman, Comito, Doyle, Hutchins, Murray and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 728, a bill for an act relating to the movement of mobile homes and factory-built structures with a width not exceeding sixteen feet under permit.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, Murray and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 729, a bill for an act to extend the temporary operating authority to forty-five days for commercial vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, Murray and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 740, a bill for an act to increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Drake, Jensen, Bisenius Comito, A. Miller, Murray and Nystrom. Nays, 3: Coleman, Doyle and Hutchins.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: SSB 314 and SSB 339 approved as committee bills.

Adjourned: 2:03 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty-four students from Nora Springs High School, Nora Springs, Iowa, accompanied by Frank Altman. Senator Gratias.

AMENDMENTS FILED

S-3244	H.F.	157	Education Committee
S-3245	S. F.	404	Donald V. Doyle Stephen W. Bisenius C. Joseph Coleman James V. Gallagher C.W. Bill Hutchins
S-3246	S. F.	402	Berl E. Priebe
S-3247	S. F.	420	Bob Rush
S-3248	S. F.	420	Patrick J. Deluhery

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:30 p.m., until 9:00 a.m., Wednesday, March 25, 1981.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
 FORTY-SEVENTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, March 25, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend John W. Dalton, pastor of the St. Patrick's Catholic Church, Cedar Rapids, Iowa.

The Journal of Tuesday, March 24, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Boeke, M.D., Osage, 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 on March 23, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 114, a bill for an act to provide for the reversion of all unencumbered balances in the depreciation fund of the state vehicle dispatcher as of November 30, 1980 to the general fund of the state.

ALSO: That the House has on March 23, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 152, a bill for an act providing that manufacturers and nonresident vendors shall not sell pilot lights commencing two years after the commerce commission has certified an alternative ignition device for a gas appliance.

ALSO: That the House has on March 23, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 350, a bill for an act relating to the computation of interest on overpayments made under the individual income, corporate income and franchise taxes and providing for its effect upon publication for overpayments resulting from returns due on or after April 30, 1981.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 350, a bill for an act relating to the computation of interest on overpayments made under the individual income, corporate income and franchise taxes and providing for its effect upon publication for overpayments resulting from returns due on or after April 30, 1981.

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

HOUSE AMENDMENT TO SENATE FILE 114

S-3249

- 1 Amend Senate File 114, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 8, by striking the word "Evening"
- 4 and inserting in lieu thereof the words "Fort Madison
- 5 Daily".

INTRODUCTION OF BILLS

Senate File 473, by Committee on Judiciary, a bill for an act relating to the use of chapters 663 and 663A of the Code by persons convicted of, or sentenced for, a public offense.

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

Senate File 474, by Committee on Judiciary, a bill for an act relating to the tort liability of governmental subdivisions.

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

BILLS REFERRED TO COMMITTEE

President Branstad announced that **Senate File 458** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37 and **Senate File 415** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 37.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

STEERING COMMITTEE AUTHORIZED

Senator Hultman 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

President Branstad appointed the following Senators to the steering committee:

Senator Hultman, Chairperson
Senator Holden
Senator Carney

Senator Junkins appointed the following Senators to the steering committee:

Senator Junkins
Senator Deluhery

RECESS

On motion of Senator Hultman, the Senate recessed at 9:27 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 475, by Baugher, a bill for an act to provide for the imposition of a property tax levy for area schools for a cash reserve.

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

Senate File 476, by Committee on Cities, a bill for an act relating to the certified eligible list for promotion for city civil service.

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

Senate File 477, by Committee on Cities, a bill for an act relating to the procedures for discontinuing the operation of a city utility.

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

Senate File 478, by Committee on State Government, a bill for an act relating to the management of property by the department of general services.

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

Senate File 479, by Committee on Agriculture, a bill for an act relating to the state entomologist, including fees for certificates of inspection, and assessment of costs.

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

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 330.

Senate File 330

On motion of Senator Carney, Senate File 330, a bill for an act to provide for redrawing director districts in a merged area, was taken up for consideration.

Senator Carney asked and received unanimous consent that **House File 440** be substituted for **Senate File 330**.

House File 440

On motion of Senator Carney, House File 440, a bill for an act to provide for redrawing director districts in a merged area, was taken up for consideration.

Senator Carney asked and received unanimous consent that action on **House File 440** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 296.

Senate File 296

On motion of Senator Kudart, Senate File 296, a bill for an act relating to permissible loans and real property purchases by a life insurance company, with report of committee recommending passage, was taken up for consideration.

Senator Kudart asked and received unanimous consent that **House File 547** be **substituted** for **Senate File 296**.

House File 547

On motion of Senator Kudart, House File 547, a bill for an act relating to permissible loans and real property purchases by a life insurance company, was taken up for consideration.

Senator Kudart asked and received unanimous consent that action on **House File 547** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 437.

Senate File 437

On motion of Senator Lura, Senate File 437, a bill for an act to allow the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits, was taken up for consideration.

Senator Lura asked and received unanimous consent that **House File 727** be **substituted** for **Senate File 437**.

House File 727

On motion of Senator Lura, House File 727, a bill for an act to allow the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits, was taken up for consideration.

Senator Lura asked and received unanimous consent that action on **House File 727** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 337.

Senate File 337

On motion of Senator Rush, Senate File 337, a bill for an act exempting certain security information of adult correctional institutions from public disclosure, was taken up for consideration.

Senator Rush asked and received unanimous consent that **House File 730** be substituted for **Senate File 337**.

House File 730

On motion of Senator Rush, House File 730, a bill for an act exempting certain security information of adult correctional institutions from public disclosure, was taken up for consideration.

Senator Rush asked and received unanimous consent that action on **House File 730** be **deferred** and that the bill be placed on the calendar as **unfinished business**.

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

The Senate resumed session, President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 480, by Committee on Commerce, a bill for an act relating to properties that are exempt from judicial process.

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

Senate File 481, by Committee on Commerce, a bill for an act relating to the requirements for giving a notice to cure in a consumer credit transaction.

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

POINTS OF ORDER (Bill referred to Committee)

Senator Junkins raised the point of order that under Joint Rule

18, Senate File 329 was improperly on the Regular Calendar.

The Chair ruled the point well taken and referred **Senate File 329** to the committee on **State Government**.

Senator Junkins raised the point of order that under Joint Rule 18, Senate File 415 was improperly on the Regular Calendar.

The Chair ruled that Senate File 415 had previously been referred from the Regular Calendar to the committee on Appropriations during the morning session.

APPENDIX

BILL ASSIGNED TO COMMITTEE

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

H.C.R. 16 Rules and Administration

GOVERNOR'S ITEM VETO MESSAGE

March 24, 1981

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 305, an act relating to the reduction, reversion, and allocation of funds previously appropriated by the General Assembly and providing a publication clause.

Senate File 305 is approved March 24, 1981, with the following exception which I hereby disapprove.

I am unable to approve the item designated in the act as Section 34 which reads as follows:

Sec. 34. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter 8, section 8, subsection 6, as amended by Acts of the Sixty-eighth General Assembly, 1980 Session, chapter 1001, section 60, is amended to read as follows:

6. For children's services . . . \$20,455,000	\$[22,030,000]
	21,634,600

Notwithstanding section 234.1, subsection 4 and section 234.35, the department of social services shall not provide foster care, after the effective date of this Act through June 30, 1981, to any persons eighteen years of age or older unless those persons meet the current requirements for foster care and have been classified as mentally retarded or developmentally disabled. However, the department shall provide foster care, after the effective date of this Act through June 30, 1981, to those persons who are eighteen or nineteen years old, regularly attending high school as full-time students or enrolled in an alternative education center approved by the state board of public instruction, and carrying a normal courseload in pursuance of a regular high school diploma. The foster care shall cease upon graduation from high school.

Notwithstanding the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter 8, section 16, the department of social services, as of the effective date of this Act through June 30, 1981, shall reduce the foster parent payment rates by ten percent.

The department of social services, as of the effective date of this Act through June 30, 1981, shall reduce the subsidized adoption rates by ten percent.

Unlike most appropriation bills, this measure reduces appropriations rather than increases them. I commend the Iowa General Assembly for making a diligent effort to seek reductions in state spending where it is appropriated and feasible. Our legislators recognize, as do I, that we are in a difficult financial position given the state of our economy. We must continue to seek ways to curtail spending as is possible.

Section 34 would reduce the Department of Social Services' appropriation for children's services by \$395,000 in fiscal year 81 through a reduction in the payment levels for foster parent payments and subsidized adoptions by 10 percent, and by the ending of eligibility for foster care payments to individuals 18 years of age or older except those mentally retarded, developmentally disabled, or still in school. While I can accept the discontinuance of eligibility for those who are 18 years of age or older according to the standards of this bill, we believe there are problems with the immediate reduction in the foster parent and subsidized adoption payments.

The 10 percent reduction in foster parent payments and subsidized adoption payments cannot be implemented until May 1. There would be but two months worth of savings until the end of the current fiscal year. The Co-Chairmen of the Department of Social Services Appropriations Subcommittee have informed us it is their intention to restore the current level of payments beginning July 1, 1981. Therefore, it makes more sense for us to leave the payment level where it is today and where it would be again on July 1, rather than go through a two-month, temporary reduction with all the difficulties and concerns that might then arise. Let it be remembered foster care and subsidized adoptions are important and effective ways to keep children in homes and out of institutions.

The legislature will be considering a supplemental appropriations bill for the Department of Social Services later this session. They can adjust the amounts to be appropriated to reflect this item veto and provide the Department with only the funds that are actually necessary to meet the cost of the foster care program for the remainder of the fiscal year.

For the above 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 Senate File 305 are hereby approved as of this date.

Sincerely,
ROBERT D. RAY
Governor

FURTHER
REPORTS OF COMMITTEE MEETINGS

AGRICULTURE*

*A previous report of this meeting was recorded on pages 944-945 of the Senate Journal.

Final Bill Action: Senate File 479, a bill for an act relating to the state entomologist, including fees for certificates of inspection, and assessment of costs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Taylor, Hester, Dreeszen, Hulse, A. Miller, Van Gilst and Waldstein. Nays, 2: Husak and Hutchins. Absent or not voting, 1: Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

CITIES*

*A previous report of this meeting was recorded on page 935 of the Senate Journal.

Final Bill Action: Senate File 476, a bill for an act relating to the certified eligible list for promotion for city civil service.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Readinger, A. Miller, Kinley, Slater and Wells. Nays, 3: Comito, Carney and Waldstein. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 477, a bill for an act relating to the procedures for discontinuing the operation of a city utility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Readinger, Comito, A. Miller, Carney, Kinley, Slater, Waldstein and Wells. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 948 of the Senate Journal.

Final Bill Action: Senate File 478, a bill for an act relating to management of property by the Department of General Services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 24, 1981, 9:40 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Nystrom and Hutchins (arrived 10:45 a.m.).

Members Absent: none.

Other Committee Business: Discussion and suggestions on Board of Regents capitals appropriations.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 24, 1981, 10:52 a.m.

Members Present: Waldstein, Chairperson; Brown and Craft.

Members Absent: Slater, Ranking Member (excused) and Vande Hoef (excused).

Other Committee Business: Discussion regarding Social Services programs with update reports by the co-chairpersons.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 24, 1981, 9:35 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Made appropriations decisions.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 24, 1981, 9:37 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Drake and Holden.

Members Absent: Anderson.

Other Committee Business: Recommended appropriations for the DOT and reconsidered recommendations for the Office of Disaster Services.

Adjourned: 11:15 a.m.

COMMERCE

Convened: March 25, 1981, 8:00 a.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member (arrived 8:15 a.m.); Comito, Craft, DeKoster (arrived 8:15 a.m.), Husak, Jensen, Priebe and Rush.

Members Absent: none.

Final Bill Action: Senate File 480, a bill for an act relating to properties that are exempt from judicial process.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Holden, Baugher, Deluhery, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 481, a bill for an act relating to the requirements for giving a notice to cure in a consumer credit transaction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Holden, Baugher, Comito, Craft, DeKoster, Husak and Jensen. Nays, 3: Deluhery, Priebe and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 312 as a committee bill.

Adjourned: 9:00 a.m.

COUNTY GOVERNMENT

Convened: March 24, 1981, 3:00 p.m.

Members Present: Briles, Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Priebe and Yenger.

Members Absent: Waldstein, Vice Chairperson and Vande Hoef (excused).

Final Bill Action: House File 572, a bill for an act relating to the duties of the board of review.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Briles, Wells, Brown, Goodwin, Hester, C. Miller, Priebe and Yenger. Nays, none. Absent or not voting, 2: Waldstein and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSBs 347, 369 and 376 as committee bills; discussed SSB 370—deferred action; SSB 318 failed recommendation for passage.

Adjourned: 3:50 p.m.

JUDICIARY

Convened: March 24, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Carr, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor.

Members Absent: none.

Final Bill Action: Senate File 473, a bill for an act relating to the use of chapters 663 and 663A of the Code by persons convicted of, or sentenced for, a public offense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: DeKoster, Kudart, Rush, Carr, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 474, a bill for an act relating to the tort liability of governmental subdivisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: DeKoster, Baugher, Carr, Deluhery, Lura, Murray, Small, Taylor and Dreeszen. Nays, 5: Kudart, Rush, Coleman, Doyle and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; approved subcommittee reports on gubernatorial appointments.

Adjourned: 4:00 p.m.

WAYS AND MEANS

Convened: March 24, 1981, 1:36 p.m.

Members Present: Craft, Chairperson; Rodgers, Ranking Member; Hester, Holden, Husak, Lura, Palmer, Ramsey, Rush and Taylor.

Members Absent: Readinger, Vice Chairperson (excused); Hultman (excused), Junkins (excused), Priebe (excused) and Van Gilst (excused).

Other Committee Business: Assigned bills to subcommittees; approved SSB 326 as amended and ordered redrafted as a committee bill.

Adjourned: 1:52 p.m.

STUDY BILLS RECEIVED

S.S.B. 376 County Government

Relating to the election of appointment of the board of trustees of benefited fire districts.

S.S.B. 377 Judiciary

Relating to fees and expenses of the district court.

S.S.B. 378 Ways and Means

Relating to the construction or repair of county buildings.

S.S.B. 379 Education

Relating to requirements of school districts including requirements relating to the educational program, the school year, school officers and employees, and school property.

S.S.B. 380 Education

To strike portions of the Code providing for reductions in state aid during a school year due to reductions in special education weighting factors.

S.S.B. 381 Education

Proposing an amendment to the Constitution of the State of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

PRESENTATION OF VISITOR

President Branstad welcomed the Honorable Richard L. Stephens, former member of the House and Senate from Washington County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3250	S. F.	145	Richard Vande Hoef Richard F. Drake
S—3251	H.F.	413	Richard Vande Hoef Richard F. Drake
S—3252	S. F.	24	John S. Murray
S—3253	H.F.	293	Patrick J. Deluhery Berl E. Priebe
S—3254	S. F.	399	John S. Murray

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 3:10 p.m., until 9:00 a.m., Thursday, March 26, 1981.

Note: For explanation of brackets and italics, see page 58 of the Senate Journal.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 26, 1981

The Senate met in regular session at 9:15 a.m., President Branstad presiding.

Prayer was offered by Dr. Paul Heath, pastor of the First United Methodist Church, Cedar Falls, Iowa.

The Journal of Wednesday, March 25, 1981, was approved.

INTRODUCTION OF BILLS

Senate File 482, by Committee on Transportation, a bill for an act providing for compensation to owners of advertising devices and lessors of property upon which advertising devices are located when the advertising device is removed or taken by the state or a political subdivision of the state.

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

Senate File 483, by Committee on State Government, a bill for an act to delete restrictions on outside earnings of disability retirees of certain public retirement systems.

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

Senate File 484, by Committee on State Government, a bill for an act allowing a licensing board to request an audit of a continuing education program.

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

Senate File 485, by Committee on Energy, a bill for an act relating to hazardous waste management, including new prohibited acts and providing penalties for violations.

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

Senate File 486, by Committee on Energy, a bill for an act requiring prime suppliers of liquid fossil fuel to Iowa to reserve a specified percentage of fuel for release by the director of energy

policy under specified circumstances.

Read first time and placed on calendar.

Senate File 487, by Committee on Energy, a bill for an act allowing the operation of golf carts on the streets of cities of less than five thousand population.

Read first time and placed on calendar.

Senate File 488, by Committee on Judiciary, a bill for an act authorizing the department of social services to establish a sales bonus program for the sale of prison industry products.

Read first time and placed on calendar.

Senate File 489, by Committee on Judiciary, a bill for an act legalizing certain city waterworks.

Read first time and placed on calendar.

Senate File 490, by Committee on Judiciary, a bill for an act to allow tort claim actions against the state to be tried before a jury.

Read first time and placed on calendar.

Senate File 491, by Committee on Judiciary, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions.

Read first time and placed on calendar.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

S.F. 154

S.F. 384

S.F. 395

S.F. 412

S.F. 420

CALVIN O. HULTMAN, Chairperson

BILLS REFERRED TO COMMITTEE

President Branstad announced that **Senate File 471** was referred from the Regular Calendar to the committee on **State Government** under Senate Rule 37 and **Senate File 420** was referred from the Steering Calendar to the committee on **Ways and Means** under Senate Rule 37.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

RECESS

On motion of Senator Hultman, the Senate recessed at 9:30 a.m., until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m., President Branstad 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 March 12, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 641, a bill for an act providing for the establishment and operation of forestry nurseries by the director of adult corrections on state owned land under the control of the department of social services.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 641, a bill for an act providing for the establishment and operation of forestry nurseries by the director of adult corrections on state owned land under the control of the department of social services.

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

INTRODUCTION OF BILLS

Senate File 492, by Committee on Transportation, a bill for an act relating to the operation of urban transit systems.

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

Senate File 493, by Committee on Judiciary, a bill for an act relating to the rights and responsibilities of spouses in connection with the support of their dependents.

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

Senate File 494, by Committee on Judiciary, a bill for an act relating to objections to the place of trial in a criminal action.

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

Senate File 495, by Committee on Judiciary, a bill for an act providing that domestic fire and casualty insurers may engage in certain options transactions.

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

Senate File 496, by Committee on State Government, a bill for an act to provide increased retirement benefits and contributions under the Iowa public employees' retirement system for certain district associate judges and judicial magistrates.

Read first time and referred to the committee on **Appropriations** under Senate Rule 37.

Senate File 497, by Committee on County Government, a bill for an act authorizing counties to act as intervenors in rate or service change proceedings before the Iowa state commerce commission.

Read first time and referred to the committee on **Commerce.**

Senate File 498, by Committee on County Government, a bill for an act relating to office hours for county offices.

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

Senate File 499, by Committee on County Government, a bill for an act relating to the election or appointment of the board of trustees of benefited fire districts.

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

Senate File 500, by Committee on County Government, a bill for an act authorizing the board of supervisors to adopt and enforce uniform personnel policies and compensation plans for county employees.

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

Senate File 501, by Committee on Natural Resources, a bill for an act to provide for the establishment of a state nursery to be located in southern Iowa.

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

Senate File 502, by Committee on Natural Resources, a bill for an act to provide for county commissions to study the past, present, and future uses of land and providing for the making of recommendations to the general assembly.

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

Senate File 503, by Committee on Natural Resources, a bill for an act relating to procedures to be followed by drainage districts.

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

Senate File 504, by Committee on Natural Resources, a bill for an act relating to licenses issued by the state conservation commission by increasing certain hunting, fishing, and trapping license fees, eliminating certain hunting and fishing licenses and wildlife stamps, requiring a certain amount of certain license fees be deposited in the state fish and game protection fund, permitting designated depositaries to reimburse county recorders a certain percentage of the permitted writing fee, and increasing the writing fee.

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

Senate File 505, by Committee on Cities, a bill for an act relating to persons prohibited from having an interest in a municipal housing project, and making penalties applicable.

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

Senate File 506, by Committee on Cities, a bill for an act redefining the types of projects for which industrial revenue bonds may be issued under chapter 419 for the purpose of including facilities to be used for the sanitary disposal for recycling of solid waste and providing for its effect upon publication.

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

Senate File 507, by Committee on Cities, a bill for an act permitting cities to issue and sell pledge orders to refund revenue bonds, pledge orders, and other obligations, and taking effect upon publication.

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

Senate File 508, by Committee on Commerce, a bill for an act providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels.

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

Senate File 509, by Committee on Commerce, a bill for an act providing for a maximum finance charge of one and three-fourths percent per month on consumer credit transactions pursuant to open end credit.

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

Senate File 510, by Committee on Agriculture, a bill for an act relating to the frequency of inspections of food service operations.

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

Senate File 511, by Committee on Judiciary, a bill for an act relating to the enforcement of judgment liens against homestead property and subsequently acquired property, to take effect January 1 following enactment.

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

Senate File 512, by Committee on Judiciary, a bill for an act increasing the maximum number of district judgeships, and authorizing immediate appointments to fill vacancies.

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

Senate File 513, by Committee on Judiciary, a bill for an act relating to the penalty for failure to record a conveyance or lease of agricultural land within the specified time.

Read first time and **placed on calendar.**

Senate File 514, by Committee on Judiciary, a bill for an act relating to the operation of a motor vehicle, and providing penalties.

Read first time and **placed on calendar.**

Senate File 515, by Committee on Judiciary, a bill for an act relating to a limitation on the time period for the filing of estates.

Read first time and **placed on calendar.**

Senate File 516, by Committee on Agriculture, a bill for an act relating to a custodial parent's, custodial guardian's, or custodian's liability for unlawful acts of a child and to victim restitution under the juvenile justice law.

Read first time and referred to the committee on **Judiciary.**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 227

Ways and Means
Hester, Chairperson
Taylor
Rodgers

SENATE FILE 413

State Government
Nystrom, Chairperson
Lura
Carr

SENATE FILE 417

Human Resources
Drake, Chairperson
Carr
Hulse

SENATE FILE 424

Cities
Kinley, Chairperson
Slater
Wells

SENATE FILE 436

Judiciary
Murray, Chairperson
Small
Kudart

SENATE FILE 442

State Government
Schwengels, Chairperson
Nystrom
Slater

SENATE FILE 444

Labor and Industrial Relations
Goodwin, Chairperson
Hultman
Wells

SENATE FILE 328

State Government
Lura, Chairperson
Schwengels
Slater

SENATE FILE 415

State Government
Nystrom, Chairperson
Schwengels
Slater

SENATE FILE 422

Cities
Readinger, Chairperson
Holden
Wells

SENATE FILE 426

Ways and Means
Hester, Chairperson
Taylor
Rodgers

SENATE FILE 441

State Government
Schwengels, Chairperson
Lura
Palmer

SENATE FILE 443

State Government
Craft, Chairperson
Gentleman
C. Miller

SENATE FILE 445

Ways and Means
Craft, Chairperson
Hultman
Holden
Van Gilst
Husak

SENATE FILE 446

State Government
Briles, Chairperson
Gallagher
Tieden

SENATE FILE 448

Ways and Means
Rodgers, Chairperson
Readinger
Ramsey

HOUSE FILE 164

Transportation
Jensen, Chairperson
Drake
Coleman

HOUSE FILE 372

Commerce
Jensen, Chairperson
Baughner
Husak

HOUSE FILE 468

Ways and Means
Taylor, Chairperson
Rodgers
Hester

HOUSE FILE 642

Ways and Means
Hester, Chairperson
Husak
Ramsey

HOUSE FILE 731

Judiciary
Kudart, Chairperson
Dreeszen
Rush

HOUSE FILE 736

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Murray

SENATE FILE 447

Ways and Means
Ramsey, Chairperson
Rodgers
Readinger

SENATE FILE 457

Judiciary
Murray, Chairperson
Dreeszen
Coleman

HOUSE FILE 371

State Government
Hutchins, Chairperson
Briles
Tieden

HOUSE FILE 466

Agriculture
Taylor, Chairperson
Hulse
Husak

HOUSE FILE 469

Ways and Means
Lura, Chairperson
Junkins
Readinger

HOUSE FILE 726

State Government
Briles, Chairperson
Lura
Carr

HOUSE FILE 734

Ways and Means
Craft, Chairperson
Readinger
Rush

HOUSE FILE 739

Judiciary
Kudart, Chairperson
Baughner
Coleman

HOUSE FILE 740

Transportation
A. Miller, Chairperson
Bisenius
Jensen

HOUSE FILE 742

Judiciary
Murray, Chairperson
Lura
Deluhery

SSB 339

Transportation
Hutchins, Chairperson
Bisenius
A. Miller

SSB 354

State Government
Lura, Chairperson
Briles
Slater

SSB 358

Judiciary
Kudart, Chairperson
Doyle
Rush

SSB 361

Cities
Readinger, Chairperson
Kinley
Wells

SSB 363

Judiciary
Ramsey, Chairperson
Carr
Baugher

SSB 365

Judiciary
Kudart, Chairperson
Murray
Doyle

SSB 367

Energy

HOUSE FILE 741

Judiciary
Kudart, Chairperson
Murray
Doyle

HOUSE FILE 743

State Government
Nystrom, Chairperson
Schwengels
Slater

SSB 353

Transportation
Jensen, Chairperson
Drake
Coleman

SSB 357

State Government
Schwengels, Chairperson
Nystrom
Slater

SSB 360

State Government
Schwengels, Chairperson
Carr
Hutchins

SSB 362

Agriculture
Taylor, Chairperson
Hutchins
Waldstein

SSB 364

Judiciary
Ramsey, Chairperson
Carr
Baugher

SSB 366

Cities
Readinger, Chairperson
Kinley
Comito

SSB 368

Cities

Briles, Chairperson
 Ramsey
 Gallagher

SSB 371

Judiciary
 Doyle, Chairperson
 Kudart
 Coleman

SSB 373

Judiciary
 Rush, Chairperson
 Dreeszen
 Deluhery

SSB 375

Agriculture
 Vande Hoef, Chairperson
 A. Miller
 Taylor

SSB 379

Education
 Taylor, Chairperson
 Dreeszen
 DeKoster
 Anderson
 Wells

SSB 381

Education
 Taylor, Chairperson
 Dreeszen
 DeKoster
 Anderson
 Wells

Reader, Chairperson
 A. Miller
 Wells

SSB 372

Human Resources
 Yenger, Chairperson
 Slater
 Gratias

SSB 374

Natural Resources
 Van Gilst, Chairperson
 Goodwin
 Tieden

SSB 377

Judiciary
 Kudart, Chairperson
 Rush
 Doyle

SSB 380

Education
 Carney, Chairperson
 Small
 Jensen

The following revised special Appropriations subcommittee on Federal Aid has been appointed:

Clarence S. Carney, Chairperson
 Sue Yenger
 Forrest V. Schwengels
 Patrick J. Deluhery
 Arthur A. Small, Jr.
 John S. Murray
 Calvin O. Hultman
 Lowell L. Junkins
 William D. Palmer

REPORTS OF INVESTIGATING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of William C. Cribbs, Waterloo, Black Hawk County, Iowa, for appointment as a member of the Iowa Board of Parole under the provisions of Section 904.2, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of Richard F. Nazette, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa Board of Parole under the provisions of Section 904.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1986, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of Calvin Auger, Anamosa, Jones County, Iowa, for reappointment as a member of the Iowa Crime Commission under the provisions of Section 80C.6, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of Thomas E. Martin, Sioux City, Woodbury County, Iowa, for reappointment as a member of the Iowa Crime Commission under the provisions of Section 80C.6, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of William J. O'Brien, Des Moines, Polk County, Iowa, for reappointment as a member of the Iowa Crime Commission under the provisions of Section 80C.6, 1981 Code of Iowa, for a term beginning May 1, 1981, and

ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of Marguerite Cothorn, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa State Civil Rights Commission under the provisions of Section 601A.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of Rachel Evans, Fort Dodge, Webster County, Iowa, for reappointment as a member of the Iowa State Civil Rights Commission under the provisions of Section 601A.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of James L. Harmon, Estherville, Emmet County, Iowa, for appointment as a member of the Iowa State Civil Rights Commission under the provisions of Section 601A.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

Pursuant to Senate Rule 58, the Committee on Judiciary assigned to investigate the character and qualifications of Thomas P. McDonnell, Clinton, Clinton County, Iowa, for appointment as a member of the Iowa State Civil Rights Commission under the provisions of Section 601A.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, Chairperson

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. F.	475	Ways and Means
H.F.	350	Ways and Means

STUDY BILLS RECEIVED

S.S.B. 382 Appropriations

Relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

S.S.B. 383 State Government

Relating to notification of parent or guardian before a physician performs an abortion upon a minor.

S.S.B. 384 Appropriations

Resolution relating to proposed ten-year building program for each institution of higher learning under the jurisdiction of the board of regents.

S.S.B. 385 Appropriations

To appropriate moneys to the state board of regents to reimburse the institutions for certain deficiencies in revenue.

S.S.B. 386 Appropriations

Making a supplemental appropriation to the department of social services for the fiscal year ending June 30, 1981, for the aid to dependent children program and field operations.

S.S.B. 387 Judiciary

Related to certain regulated or prohibited activities and providing penalties.

S.S.B. 388 Judiciary

Concerning certain criminal procedures relating to notice of seized property, nontestimonial identification, trial by jury and

deferred judgments, deferred sentences and suspended sentences.

S.S.B. 389 Judiciary

Relating to certain crimes including accessory after the fact, assault, terrorism, attempted burglary, theft, and other crimes which may result from the use of force in excess of reasonable force, and providing penalties.

S.S.B. 390 Judiciary

Relating to the operation of a motor vehicle, and providing penalties.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 26, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

H.F. 73—Relating to repairs and improvements in drainage and levee districts.

H.F. 430—Eliminating the requirement that spouses execute the same joint instrument to convey the homestead.

NOTICE OF HEARING

MARGARET ANDERSON, appointed by the Governor to the State Board of Regents will appear before the Appropriations Committee on April 2, 1981, at 8:00 a.m., in Room 22.

SUE YENGER, Chairperson

REPORT OF COMMITTEE

COUNTY GOVERNMENT

Final Bill Action: Senate File 500, a bill for an act authorizing the board of supervisors to adopt and enforce uniform personnel policies and compensation plans for county employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Briles, Wells, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, 1: Brown. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORTS OF COMMITTEE MEETINGS

COMMERCE*

*A previous report of this meeting was recorded on page 961 of the Senate Journal.

Final Bill Action: Senate File 508, a bill for an act providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Holden, Baugher, Deluhery, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

COUNTY GOVERNMENT*

*A previous report of this meeting was recorded on page 962 of the Senate Journal.

Final Bill Action: Senate File 497, a bill for an act authorizing counties to act as intervenors in rate or service change proceedings before the Iowa state commerce commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Briles, Wells, Brown, Goodwin, C. Miller and Yenger. Nays, 2: Hester and Priebe. Absent or not voting, 2: Waldstein and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 498, a bill for an act relating to office hours for county offices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Briles, Wells, Goodwin, Hester, C. Miller and Yenger. Nays, 2: Brown and Priebe. Absent or not voting, 2: Waldstein and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 499, a bill for an act relating to the election or appointment of the board of trustees of benefited fire districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Briles, Wells, Brown, Goodwin, Hester, C. Miller and Priebe. Nays, none. Absent or not voting, 3: Waldstein, Vande Hoef and Yenger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 947-948 of the Senate Journal.

Final Bill Action: Senate File 483, a bill for an act to delete restrictions on outside earnings of disability retirees of certain public retirement systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Drake, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, 1: Gallagher. Absent or not voting, 1: Craft.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 484, a bill for an act allowing a licensing board to request an audit of a continuing education program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 496, a bill for an act to provide increased retirement benefits and contributions under the Iowa public employees retirement system for certain district associate judges and judicial magistrates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Nystrom, Lura, Briles, Carr, Craft, Gentleman, Hutchins, C. Miller, Palmer and Schwengels. Nays, 1: Tieden. Absent or not voting, 3: Slater, Drake and Gallagher.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

TRANSPORTATION*

*A previous report of this meeting was recorded on pages 948-949 of the Senate Journal.

Final Bill Action: Senate File 482, a bill for an act providing for compensation to owners of advertising devices and lessors of property upon which advertising devices are located when the advertising device is removed or taken by the state or a political subdivision of the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Drake, Jensen, Bisenius, Coleman, Comito, Doyle, Hutchins, Murray and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 492, a bill for an act relating to the operation of urban transit systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins, Murray and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

Convened: March 25, 1981, 9:55 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Hutchins and Nystrom.

Members Absent: none.

Other Committee Business: Committee action on study bill for education appropriations.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 25, 1981, 10:05 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart. ,

Members Absent: none.

Other Committee Business: Budget recommendations for the Board of Medical Examiners and Department of Health for fiscal years 82 and 83.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 25, 1981, 9:45 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Goodwin and Hester.

Members Absent: none.

Other Committee Business: Continued work on budget proposals.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 25, 1981, 10:00 a.m.

Members Present: Waldstein, Chairperson; Brown, Craft and Vande Hoef.

Members Absent: Slater, Ranking Member (excused).

Other Committee Business: Presentation of funding proposals for Social Services programs by the co-chairpersons; report given by Representative Jochum on proposed funding program by his caucus.

Adjourned: 11:06 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 25, 1981, 9:55 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Made appropriations decisions.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 25, 1981, 9:50 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Approved recommendations for the DOT, Iowa Crime Commission and Department of Public Safety.

Adjourned: 11:37 a.m.

AGRICULTURE

Convened: March 25, 1981, 4:15 p.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Waldstein.

Members Absent: Van Gilst (excused).

Final Bill Action: Senate File 510, a bill for an act relating to the frequency of inspections of food service operations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Van Gilst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 516, a bill for an act relating to a custodial parent's, custodial guardian's, or custodian's liability for unlawful acts of a child and to victim restitution under the juvenile justice law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Taylor, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Waldstein. Nays, 2: Hester and Hutchins. Absent or not voting, 1: Van Gilst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 6:10 p.m.

CITIES

Convened: March 25, 1981, 12:07 p.m.

Members Present: Readinger, Chairperson; A. Miller, Ranking Member; Carney, Holden, Kinley and Wells.

Members Absent: Comito, Vice Chairperson; Waldstein and Slater.

Final Bill Action: Senate File 505, a bill for an act relating to persons prohibited from having an interest in a municipal housing project, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Readinger, A. Miller, Carney, Holden, Kinley and Wells. Nays, none. Absent or not voting, 3: Comito, Waldstein and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 506, a bill for an act redefining the types of projects for which industrial revenue bonds may be issued under chapter 419 for the purpose of including facilities to be used for the sanitary disposal for recycling of solid waste and providing for its effect upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Readinger, A. Miller, Carney, Holden, Kinley and Wells. Nays, none. Absent or not voting, 3: Comito, Waldstein and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 507, a bill for an act permitting cities to issue and sell pledge orders to refund revenue bonds, pledge orders, and other obligations, and taking effect upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Readinger, A. Miller, Carney, Holden, Kinley and Wells. Nays, none. Absent or not voting 3; Comito, Waldstein and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 12:20 p.m.

COMMERCE

Convened: March 26, 1981, 9:30 a.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson (arrived 9:45 a.m.); Deluhery, Ranking Member; Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: Comito.

Final Bill Action: Senate File 509, a bill for an act providing for a maximum finance charge of one and three-fourths percent per month on consumer credit transactions pursuant to open end credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Holden, Baugher, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, 1: Deluhery. Absent or not voting, 1: Comito.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 332 as a committee bill.

Adjourned: 9:50 a.m.

EDUCATION

Convened: March 25, 1981, 12:15 p.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Other Committee Business: Discussed proposed committee Education bill pertaining to requirements relating to the educational program, the school year, school officers and employees, and school property—deferred final action.

Adjourned: 1:35 p.m.

EDUCATION

Convened: March 26, 1981, 9:40 a.m.

Members Present: Gratias, Chairperson; Carney, Vice Chairperson; Brown, Ranking Member; Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells.

Members Absent: none.

Final Bill Action: House File 724, a bill for an act to modify the requirement that boards of directors of districts proposing to issue general obligation bonds for school building construction or renovation must hold a meeting with the area education agency boards and boards of adjoining school districts.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gratias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Discussed SSB 175.

Adjourned: 10:45 a.m.

ENERGY

Convened: March 24, 1981, 8:11 a.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Briles, Doyle, Kudart, Readinger and Yenger.

Members Absent: Rodgers (excused).

Final Bill Action: Senate File 485, a bill for an act relating to hazardous waste management, including new prohibited acts and providing penalties for violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Ramsey, Bisenius, Gallagher, Anderson, Briles, Doyle, Kudart, Readinger and Yenger. Nays, none. Absent or not voting, 1: Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 486, a bill for an act requiring prime suppliers of liquid fossil fuel to Iowa to reserve a specified percentage of fuel for release by the director of energy policy under specified circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Ramsey, Bisenius, Gallagher, Anderson, Briles, Doyle, Kudart, Readinger and Yenger. Nays, none. Absent or not voting, 1: Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 487, a bill for an act allowing the operation of golf carts on the streets of cities of less than five thousand population.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Ramsey, Bisenius, Gallagher, Anderson, Briles, Doyle, Kudart and Yenger. Nays, 1: Readinger. Absent or not voting, 1: Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 9:10 a.m.

JUDICIARY

Convened: March 25, 1981, 3:05 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Ramsey, Small, Taylor and Murray (arrived 3:45 p.m.).

Members Absent: none.

Final Bill Action: Senate File 488, a bill for an act authorizing the department of social services to establish a sales bonus program for the sale of prison industry products.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Doyle, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 3: Dreeszen, Murray and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 489, a bill for an act legalizing certain city waterworks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 1: Murray.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 490, a bill for an act to allow tort claim actions against the state to be tried before a jury.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Doyle, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 3: Dreeszen, Murray and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 491, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 1: Murray.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 4:15 p.m.

JUDICIARY

Convened: March 26, 1981, 8:00 a.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor.

Members Absent: Small (arrived 8:50 a.m.) and Carr.

Final Bill Action: Senate File 493, a bill for an act relating to the rights and responsibilities of spouses in connection with the support of their dependents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting 2: Small and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 494, a bill for an act relating to objections to the place of trial in a criminal action.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Small and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 495, a bill for an act providing that domestic fire and casualty insurers may engage in certain options transactions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Carr and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 9:00 a.m.

JUDICIARY

Convened: March 26, 1981, 12:00 noon.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor.

Members Absent: Carr.

Final Bill Action: Senate File 511, a bill for an act relating to the enforcement of judgment liens against homestead property and subsequently acquired property, to take effect January 1 following enactment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: DeKoster, Kudart, Rush, Baugher, Coleman, Doyle, Dreeszen, Lura, Ramsey, Taylor and Deluhery. Nays, none. Absent or not voting, 3: Carr, Murray and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 512, a bill for an act increasing the maximum number of district judgeships, and authorizing immediate appointments to fill vacancies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: DeKoster, Kudart, Rush, Baugher, Coleman, Doyle, Dreeszen, Deluhery, Lura, Ramsey and Taylor. Nays, none. Absent or not voting, 3: Carr, Murray and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 513, a bill for an act relating to the penalty for failure to record a conveyance or lease of agricultural land within the specified time.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Doyle, Dreeszen, Deluhery, Lura, Ramsey, Taylor, Murray, Small and Coleman. Nays, 1: Baugher. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 514, a bill for an act relating to the operation of a motor vehicle, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: DeKoster, Kudart, Rush, Baugher, Doyle, Dreeszen, Deluhery, Lura, Ramsey and Taylor. Nays, 1: Coleman. Absent or not voting, 3: Carr, Murray and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 515, a bill for an act relating to a limitation on the time period for the filing of estates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Doyle, Dreeszen, Deluhery, Lura, Ramsey, Taylor, Small, Coleman and Baugher. Nays, none. Absent or not voting, 2: Carr and Murray.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:15 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 26, 1981, 8:00 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Anderson, Ranking Member; Brown, Goodwin, Gratias, Hultman and Wells.

Members Absent: Kinley (excused).

Other Committee Business: Assigned Senate File 444 to subcommittee; SSB 333 approved as a committee bill.

Adjourned: 8:25 a.m.

NATURAL RESOURCES

Convened: March 25, 1981, 8:05 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden, Gallagher and Hutchins.

Members Absent: Rodgers.

Final Bill Action: Senate File 501, a bill for an act to provide for the establishment of a state nursery to be located in southern Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Gallagher and Hutchins. Nays, none. Absent or not voting, 1: Rodgers.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 502, a bill for an act to provide for county commissions to study the past, present, and future uses of land and providing for the making of recommendations to the general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Gallagher and Hutchins. Nays, none. Absent or not voting, 1: Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 503, a bill for an act relating to procedures to be followed by drainage districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Gallagher and Hutchins. Nays, none. Absent or not voting, 1: Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 504, a bill for an act relating to licenses issued by the state conservation commission by increasing certain hunting, fishing, and trapping license fees, eliminating certain hunting and fishing licenses and wildlife stamps, requiring a certain amount of certain license fees to be deposited in the state fish and game protection fund, permitting designated depositories to reimburse county recorders a certain percentage of the permitted writing fee, and increasing the writing fee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Schwengels, Goodwin, Hutchins, Gentleman and Kudart. Nays, 3: Van Gilst, Tieden and Gallagher. Absent or not voting, 1: Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:55 a.m.

STATE GOVERNMENT

Convened: March 26, 1981, 3:12 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Schwengels and Tieden.

Members Absent: Slater, Ranking Member (excused) and Palmer.

Other Committee Business: Approved Senate Files 319, 410, 483 and 484 and SSB 354 as committee bills; amended and approved Senate File 144 as a committee bill; Senate File 179 failed recommendation for passage.

Adjourned: 4:00 p.m.

TRANSPORTATION

Convened: March 26, 1981, 1:30 p.m.

Members Present: Drake, Chairperson; Jensen, Vice Chairperson; Hutchins, Doyle, A. Miller and Murray.

Members Absent: Coleman, Ranking Member; Bisenius, Comito and Nystrom.

Other Committee Business: Approved SSB 353 as a committee bill:

Adjourned: 1:45 p.m.

WAYS AND MEANS

Convened: March 26, 1981, 1:30 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Hester, Holden, Hultman, Husak, Lura, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Rodgers, Ranking Member (excused); Junkins (excused) and Palmer.

Final Bill Action: Senate File 209, a bill for an act to amend the county agricultural extension law by providing for approval of the county agricultural extension council budget by the board of supervisors and increasing the dollar amount which may be levied for budget.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Craft, Readinger, Husak, Lura, Priebe, Ramsey, Taylor and Van Gilst. Nays, 3: Hester, Holden and Rush. Absent or not voting, 4: Rodgers, Hultman, Junkins and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 420, a bill for an act relating to the siting of hazardous waste treatment, storage and disposal facilities, providing penalties and imposing a surcharge on the fee for land burial of hazardous waste.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Craft, Readinger, Hester, Holden, Hultman, Husak, Lura, Priebe, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 3: Rodgers, Junkins and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 470, a bill for an act relating to the statute of limitations on assessment of the income and franchise taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Craft, Readinger, Hester, Holden, Husak, Lura, Priebe, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 4: Rodgers, Junkins, Palmer and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 504, a bill for an act relating to the enforcement of distress warrants issued by the director of revenue.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3259.

Final Vote: Ayes, 11: Craft, Readinger, Hester, Holden, Husak, Lura, Priebe, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 4: Rodgers, Hultman, Junkins and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 734, a bill for an act establishing the rate of interest payable on delinquent taxes owed to the state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3260.

Final Vote: Ayes, 11: Craft, Readinger, Hester, Holden, Husak, Lura, Priebe, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 4: Rodgers, Junkins, Palmer and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 326 as a committee bill.

Adjourned: 2:10 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty-six students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Lynn Disney. Senators Bisenius and Hulse.

AMENDMENTS FILED

S—3255	S. F.	370	Arthur A. Small, Jr. Sue Yenger John N. Nystrom Charles P. Miller
S—3256	S. F.	471	C.W. Bill Hutchins
S—3257	H.F.	154	Dick Ramsey
S—3258	S. F.	217	Norman J. Goodwin Bob Rush James E. Briles
S—3259	H.F.	504	Ways and Means Committee
S—3260	H.F.	734	Ways and Means Committee

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 3:08 p.m., until 10:00 a.m., Monday, March 30, 1981.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
 FORTY-NINTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, March 30, 1981

The Senate met in regular session at 10:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Jerry Jordan, pastor of the Parkersburg United Methodist Church, Parkersburg, Iowa.

The Journal of Thursday, March 26, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Comito for the day and Senators Yenger, Hulse and Waldstein for the morning session on request of Senator Hultman; Senator Priebe for the day and Senator Miller of Cerro Gordo for the morning session on request of Senator Hutchins.

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 25, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 22, a resolution requesting an interim study committee to study the pollution of underground aquifers by sanitary landfill leachates.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE CONCURRENT RESOLUTION 22

By: Stueland, Petrick, Anderson of Audubon, Pellett, Cochran,
 Lloyd-Jones, Smalley, Mann, Hoffmann, Tofte, Johnson of Linn,
 Gross, Diemer, Shull, Corey, Crawford, Bruner, Halvorson of Clayton,
 Johnson of Woodbury, Hansen of O'Brien, Holt, Hall, Cook,

Smith, Crabb, De Groot, Davitt, Tyrrell, Menke, McKean,
Schroeder, Jay, Pelton, Hanson of Delaware, Danker, Harbor,
Sullivan, Welden, Shimanek, Clark of Lee, Branstad, Brandt,
Johnson of Howard, Lind, Howell, Swartz, Schneklath, Renken,
Trucano, Anderson of Jasper, Swearingen, Daggett, Clark of Cerro Gordo,
Krewson, Mullins, Maulsby, Doderer, Conlon, Lageschulte, Avenson,
Carpenter, and Van Maanen

1 *Whereas*, water is essential to the existence of life;
2 and

3 *Whereas*, the greatest amount of the water used in the
4 state of Iowa comes from underground aquifers; and

5 *Whereas*, the pollution of underground aquifers by
6 sanitary landfill leachates would seriously endanger the
7 continuing existence of life in the state of Iowa; *Now*
8 *Therefore*,

9 *Be It Resolved by the House of Representatives, the*
10 *Senate Concurring*, That the Legislative Council is
11 requested to appoint a joint subcommittee composed of
12 members of the House and Senate Committees on Natural
13 Resources to conduct a study during the 1981 interim of
14 the problem of underground water pollution resulting from
15 the use of sanitary landfill waste disposal sites.

16 *Be It Further Resolved*, That the study shall examine
17 the following items:

18 1. The scope of use of sanitary landfill waste
19 disposal sites.

20 2. The problems caused by leachate to underground
21 water.

22 3. The alternatives to the use of sanitary landfills
23 as the primary solid waste disposal option.

24 4. The economic, environmental, and energy
25 consideration of these alternatives.

26 *Be It Further Resolved*, That the subcommittee shall

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1 examine the resource recovery systems being used in
2 Ames, in St. Louis, and in the Boston metropolitan area
3 as well as the proposals for the Quad City and Des
4 Moines metropolitan areas. The subcommittee shall
5 consult with the Iowa Department of Environmental
6 Quality, the Iowa Natural Resources Council, and the
7 Iowa Geological Survey while conducting the study and
8 shall submit a final report on the study, with any
9 legislative recommendations to the Legislative Council
10 and to the General Assembly meeting in the year 1982.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate Joint Resolution 13, by Committee on Education, a joint resolution proposing an amendment to the Constitution of the state of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

Read first time and **placed on calendar**.

Senate File 517, by Committee on Judiciary, a bill for an act relating to certain crimes including accessory after the fact, assault, terrorism, attempted burglary, theft, and other crimes which may result from the use of force in excess of reasonable force, and providing penalties.

Read first time and **placed on calendar**.

Senate File 518, by Committee on Judiciary, a bill for an act relating to the registration of foreign support orders under Iowa's uniform support of dependents law.

Read first time and **placed on calendar**.

Senate File 519, by Committee on Judiciary, a bill for an act related to certain regulated or prohibited activities and providing penalties.

Read first time and **placed on calendar**.

Senate File 520, by Committee on Education, a bill for an act to strike portions of the Code providing for reductions in state aid during a school year due to reductions in special education weighting factors.

Read first time and **placed on calendar**.

Senate File 521, by Committee on Education, a bill for an act relating to requirements of school corporations including requirements relating to mathematics, English-language arts, and English language; the school year; school organization, officers, and employees; and school property.

Read first time and **placed on calendar**.

Senate File 522, by Committee on Education, a bill for an act to require that the department of public instruction and the area

education agencies encourage schools to offer programs for gifted and talented children.

Read first time and **placed on calendar.**

Senate File 523, by Committee on Ways and Means, a bill for an act relating to the confidentiality of claims for property tax credits and rent reimbursements.

Read first time and **placed on calendar.**

Senate File 524, by Committee on Transportation, a bill for an act establishing a transportation regulation authority to replace the three-member transportation regulation board with a January 1, 1982 effective date.

Read first time and **placed on calendar.**

Senate File 525, by Committee on Commerce, a bill for an act relating to the deposit and investment of public funds in insured depository financial institutions.

Read first time and **placed on calendar.**

CONSIDERATION OF BILLS (Steering Calendar)

Senate File 154

On motion of Senator Tieden, Senate File 154, a bill for an act repealing the prohibition against a municipality, county, or other governmental unit within the state making a law, ordinance, or regulation relating to the availability of obscene materials, with report of committee recommending passage, was taken up for consideration.

Senator DeKoster offered amendment S—3161 filed by Senators DeKoster, et al., on March 11, 1981, to page 1 and the title page of the bill, moved its adoption and requested a non record roll call.

The ayes were 37, nays 5.

Amendment S—3161 was adopted.

Senator Small moved that Senate File 154 be referred to the committee on Judiciary.

Senator Junkins asked unanimous consent that Senate File 154 be referred to the committee on Judiciary and that the bill be reported back to the Senate by April 7, 1981.

Senator Junkins withdrew his request.

Senator Hultman asked unanimous consent that Senate File 154 be referred to the committee on Judiciary and that the bill be reported back to the Senate by April 2, 1981, and retain its place on the calendar.

Objection was raised by Senator Small.

Senator Small renewed his motion that Senate File 154 be referred to the committee on Judiciary.

A record roll call was requested.

On the question "Shall the motion to refer be adopted?" (S.F. 154) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Anderson	Brown	Carr	Coleman
DeKoster	Deluhery	Doyle	Gallagher
Gentleman	Hutchins	Junkins	Kinley
Kudart	Miller, C.P.	Murray	Palmer
Ramsey	Readinger	Rodgers	Rush
Slater	Small	Van Gilst	Wells

Nays, 20:

Baughner	Bisenius	Briles	Carney
Craft	Drake	Dreeszen	Goodwin
Gratias	Hester	Holden	Hultman
Husak	Jensen	Lura	Nystrom
Schwengels	Taylor	Tieden	Vande Hoef

Absent or not voting, 6:

Comito	Hulse	Miller, A.V.	Priebe
Waldstein	Yenger		

The motion prevailed and **Senate File 154** was referred to the committee on **Judiciary**.

Senate File 384

On motion of Senator Nystrom, Senate File 384, a bill for an act relating to elections by revising the statutes governing the furnishing of nomination papers, nominations by parties, nonparty political organizations and petition, nominations of presidential electors, information requested for registration, closing registration for elections, reporting on party registration, allowing employees time off work to vote, and delivering absentee ballots, was taken up for consideration.

Senator Nystrom offered amendment S—3262 filed by him from the floor to pages 2 and 4 of the bill and moved its adoption.

Amendment S—3262 was adopted by a voice vote.

Senator Nystrom offered amendment S—3178 filed by Senators Nystrom and Slater on March 11, 1981, to page 4 of the bill and moved its adoption.

Amendment S—3178 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 384) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lura	Miller, C.P.	Murray
Nystrom	Palmer	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Wells		

Nays, 2:

Craft	Kudart
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Absent or not voting, 6:

Comito	Hulse	Miller, A.V.	Priebe
Waldstein	Yenger		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 384** be immediately messaged to the House.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 395

On motion of Senator Tieden, Senate File 395, a bill for an act to require that reports of induced terminations of pregnancies be filed with the state department of health, was taken up for consideration.

Senator Tieden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 395) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin
Gratias	Hester	Holden	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, C.P.
Murray	Nystrom	Palmer	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Weils	

Nays, 1:

Gentleman

Absent or not voting, 6:

Comito
Waldstein

Hulse
Yenger

Miller, A.V.

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:00 noon, until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Branstad presiding.

INTRODUCTION OF BILLS

Senate File 526, by Committee on Natural Resources, a bill for an act relating to the registration and operation of snowmobiles.

Read first time and **placed on calendar**.

Senate File 527, by Committee on Judiciary, a bill for an act relating to a custodial parent's, custodial guardian's, or custodian's liability for unlawful acts of a child and to victim restitution under the juvenile justice law.

Read first time and **placed on calendar**.

Senate File 528, by Committee on Judiciary, a bill for an act concerning certain criminal procedures relating to notice of seized property, nontestimonial identification, trial by jury, and deferred judgments, deferred sentences and suspended sentences.

Read first time and **placed on calendar**.

Senate File 529, by Committee on State Government, a bill for an act relating to material donated to a public library, museum or archive.

Read first time and **placed on calendar**.

Senate File 530, by Committee on State Government, a bill for an act relating to investments authorized for moneys in the Iowa public employees' retirement fund.

Read first time and **placed on calendar**.

Senate File 531, by Committee on Agriculture, a bill for an act relating to pipelines.

Read first time and **placed on calendar**.

Senate File 532, by Committee on Agriculture, a bill for an act authorizing the Iowa family farm development authority to establish an additional loan program to beginning farmers and to issue limited obligations therefor and to amend and clarify certain other provisions of chapter 175.

Read first time and **placed on calendar**.

Senate File 533, by Committee on State Government, a bill for an act relating to administrative positions within the department of social services.

Read first time and **placed on calendar**.

Senate File 534, by Committee on Human Resources, a bill for an act relating to reimbursement to the state from the personal deposit funds of patients at the state mental health institutes or hospital-schools.

Read first time and **placed on calendar**.

Senate File 535, by Committee on Human Resources, a bill for an act relating to the chronic renal disease program within the department of public health.

Read first time and **placed on calendar**.

Senate File 536, by Committee on Human Resources, a bill for an act relating to multidisciplinary team access to child abuse information.

Read first time and **placed on calendar**.

Senate File 537, by Committee on Human Resources, a bill for an act to abolish the requirement for a premarital syphilis examination.

Read first time and **placed on calendar.**

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 412

On motion of Senator Ramsey, Senate File 412, a bill for an act amending the mechanic's lien statute to limit the enforceability of the lien of a subcontractor to the amount owing to the contractor at the time notice of the lien is given to the property owner by the subcontractor, was taken up for consideration.

Senator Kinley offered amendment S—3231 filed by him on March 23, 1981, to page 3 of the bill.

Senator Hultman called for a division of the amendment: lines 2 through 24 and line 27 as division S—3231A; lines 25 and 26 as division S—3231B.

Senator DeKoster raised the point of order that the amendment was not divisible in the manner it was divided.

The Chair ruled the point well taken.

Senator Hultman asked and received unanimous consent that action on **Senate File 412** and amendment S—3231 be **deferred.**

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 420.

Senate File 420

On motion of Senator Ramsey, Senate File 420, a bill for an act relating to the siting of hazardous waste treatment, storage and disposal facilities, providing penalties and imposing a surcharge on

the fee for land burial of hazardous waste, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Nystrom took the chair at 2:19 p.m.

Senator Deluhery offered amendment S—3248 filed by him on March 24, 1981, to page 1 of the bill.

President Branstad took the chair at 2:25 p.m.

(Senate File 420 and amendment S—3248 pending on recess.)

RECESS

On motion of Senator Hultman, the Senate recessed at 2:26 p.m., until 3:30 p.m.

RECONVENED

The Senate reconvened at 3:30 p.m., President Branstad presiding.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 15

By: Schwengels

1 *Whereas*, provisions governing the retirement of the
 2 various peace officers in this state are found in four
 3 different retirement systems established in four
 4 separate chapters of the Code—97A for the public safety
 5 peace officers retirement, accident, and disability
 6 system; 97B for the Iowa public employees' retirement
 7 system; 410 for disabled and retired firemen and
 8 policemen; and 411 for retirement systems for police
 9 officers and fire fighters; and
 10 *Whereas*, the policy of this state during the last
 11 several years has been to provide as much uniformity
 12 among the various retirement systems as possible; and
 13 *Whereas*, there are certain differences found in the
 14 various chapters relating to retirement for peace
 15 officers; and
 16 *Whereas*, it is time for the general assembly to
 17 review the various systems for the purpose of keeping
 18 the provisions as nearly the same in every respect as
 19 possible; *Now Therefore*,
 20 *Be It Resolved by the Senate, the House Concurring*,
 21 That the legislative council is urged to establish a
 22 joint subcommittee of the house and senate committees

- 23 on state government composed of members of both
24 political parties, to study the various retirement
25 systems within this state to which peace officers
26 are members for the purpose of providing uniformity
27 of benefits for peace officers to the extent possible;
28 and
29 *Be It Further Resolved*, That the joint subcommittee
30 may call experts in the field of pensions and pension

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- 1 reform as well as other knowledgeable persons to assist
- 2 it in its study and shall submit periodic reports and a
- 3 final report, accompanied by legislative bill drafts
- 4 to implement its recommendations to the legislative
- 5 council and the general assembly meeting in 1982.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 538, by Committee on State Government, a bill for an act relating to continuing professional and occupational education, and including civil penalties.

Read first time and placed on calendar.

Senate File 539, by Committee on Labor and Industrial Relations, a bill for an act relating to workers' compensation and providing a penalty.

Read first time and placed on calendar.

BILL REFERRED TO COMMITTEE

President Branstad announced that **Senate File 524** was referred from the Regular Calendar to the committee on **State Government** under Senate Rule 37.

APPENDIX**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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on the 27th day of March, 1981.

Senate Files 172, 228 and 262.

LINDA HOWARTH MACKAY
Secretary of the Senate

COMMUNICATION FROM THE SECRETARY OF STATE

March 27, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

I hereby certify that Senate File 86, was published in The Montezuma Republican, Montezuma, Iowa, on March 19, 1981, and in the Charles City Press, Charles City, Iowa, on March 19, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

BILL ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bill to committee:

H.F. 641 Human Resources

**REPORTS OF INVESTIGATING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)**

Pursuant to Senate Rule 58, the Committee on Agriculture assigned to investigate the character and qualifications of Kenneth Kassel, Ayrshire, Palo Alto County,

Iowa, for reappointment as a member of the State Soil Conservation Committee under the provisions of Section 467A.4, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON AGRICULTURE
RAY TAYLOR, Chairperson

Pursuant to Senate Rule 58, the Committee on Agriculture assigned to investigate the character and qualifications of Jane LaVaun LaGrange, Vinton, Benton County, Iowa, for appointment as a member of the State Soil Conservation Committee under the provisions of Section 467A.4, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON AGRICULTURE
RAY TAYLOR, Chairperson

Pursuant to Senate Rule 58, the Committee on Agriculture assigned to investigate the character and qualifications of John Robert Miller, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the State Soil Conservation Committee under the provisions of Section 467A.4, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON AGRICULTURE
RAY TAYLOR, Chairperson

REPORT OF THE STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

S.F. 480
S.F. 408
S.F. 423
S.F. 425
S.F. 256
S.F. 435
S.F. 355
S.F. 370
S.F. 456
S.F. 466
S.F. 468

CALVIN O. HULTMAN, Chairperson

FURTHER
REPORTS OF COMMITTEE MEETINGS

AGRICULTURE*

*A previous report of this meeting was recorded on pages 944-945 of the Senate Journal.

Final Bill Action: Senate File 531, a bill for an act relating to pipelines.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Van Gilst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 532, a bill for an act authorizing the Iowa family farm development authority to establish an additional loan program to beginning farmers and to issue limited obligations therefor and to amend and clarify certain other provisions of chapter 175.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Taylor, Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Van Gilst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

COMMERCE*

*A previous report of this meeting was recorded on page 986 of the Senate Journal.

Final Bill Action: Senate File 525, a bill for an act relating to the deposit and investment of public funds in insured depository financial institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Holden, Baugher, Deluhery, Craft, DeKoster, Husak and Rush. Nays, 2: Jensen and Priebe. Absent or not voting, 1: Comito.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

EDUCATION*

*A previous report of this meeting was recorded on pages 986-987 of the Senate Journal.

Final Bill Action: Senate Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Gratias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 520, a bill for an act to strike portions of the Code providing for reductions in state aid during a school year due to reductions in special education weighting factors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gratias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 521, a bill for an act relating to requirements of school corporations including requirements relating to mathematics, English-language arts, and English language; the school year; school organization, officers, and employees; and school property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gratias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 522, a bill for an act to require that the department of public instruction and the area education agencies encourage schools to offer programs for gifted and talented children.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gratias, Carney, Brown, Anderson, DeKoster, Dreeszen, Jensen, Small and Wells. Nays, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

JUDICIARY*

*A previous report of this meeting was recorded on pages 990-992 of the Senate Journal.

Final Bill Action: Senate File 517, a bill for an act relating to certain crimes including accessory after the fact, assault, terrorism, attempted burglary, theft, and other crimes which may result from the use of force in excess of reasonable force, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Doyle, Dreeszen, Deluhery, Lura, Ramsey, Taylor, Murray, Small and Coleman. Nays, 1: Baugher. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 518, a bill for an act relating to the registration of foreign support orders under Iowa's uniform support of dependents law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: DeKoster, Kudart, Rush, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 519, a bill for an act related to certain regulated or prohibited activities and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: DeKoster, Kudart, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Ramsey and Small. Nays, 1: Lura. Voting present, 1: Rush. Absent or not voting, 3: Carr, Murray and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 527, a bill for an act relating to a custodial parent's, custodial guardian's, or custodian's liability for unlawful acts of a child and to victim restitution under the juvenile justice law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: DeKoster, Kudart, Rush, Baugher, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 528, a bill for an act concerning certain criminal procedures relating to notice of seized property, nontestimonial identification, trial by jury, and deferred judgments, deferred sentences and suspended sentences.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: DeKoster, Kudart, Baugher, Dreeszen, Lura, Murray, Ramsey and Small. Nays, 4: Rush, Coleman, Deluhery and Doyle. Absent or not voting, 2: Carr and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

LABOR AND INDUSTRIAL RELATIONS*

*A previous report of this meeting was recorded on page 992 of the Senate Journal.

Final Bill Action: Senate File 539, a bill for an act relating to workers' compensation and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Hulse, Carney, Anderson, Brown, Goodwin, Gratias, Hultman and Wells. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 993 of the Senate Journal.

Final Bill Action: Senate File 529, a bill for an act relating to material donated to a public library, museum or archive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Nystrom, Lura, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Schwengels and Tieden. Nays, none. Absent or not voting, 3: Slater, Briles and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 530, a bill for an act relating to investments authorized for moneys in the Iowa public employees' retirement fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Lura, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Schwengels and Tieden. Nays, none. Voting present, 1: Nystrom. Absent or not voting, 2: Slater and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 533, a bill for an act relating to administrative positions within the department of social services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Nystrom, Lura, Carr, Craft, Drake, Gallagher, Gentleman, Schwengels and Tieden. Nays, 1: Briles. Voting present, 2: Hutchins and C. Miller. Absent or not voting, 2: Palmer and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 538, a bill for an act relating to continuing professional and occupational education, and including civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Nystrom, Lura, Briles, Carr, Craft, Tieden, Drake, Gallagher, Gentleman, Hutchins, C. Miller and Schwengels. Nays, none. Absent or not voting, 2: Palmer and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

TRANSPORTATION*

*A previous report of this meeting was recorded on page 994 of the Senate Journal.

Final Bill Action: Senate File 524, a bill for an act establishing a transportation regulation authority to replace the three-member transportation regulation board with a January 1, 1982 effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Drake, Jensen, Hutchins, Doyle, A. Miller and Murray. Nays, none. Absent or not voting, 4: Coleman, Bisenius, Comito and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

WAYS AND MEANS*

*A previous report of this meeting was recorded on page 994 of the Senate Journal.

Final Bill Action: Senate File 523, a bill for an act relating to the confidentiality of claims for property tax credits and rent reimbursements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Craft, Readinger, Hester, Holden, Husak, Lura, Priebe, Ramsey, Rush, Taylor, Van Gilst and Hultman. Nays, none. Absent or not voting, 3: Rodgers, Junkins and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 26, 1981, 10:45 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Budget recommendations for the Department of Health.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 26, 1981, 10:43 a.m.

Members Present: Waldstein, Chairperson; Brown, Craft and Vande Hóef.

Members Absent: Slater, Ranking Member (excused).

Other Committee Business: Approved and submitted SSB 386 to the full Appropriations committee; discussion on FY 82-83 funding proposals.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 26, 1981, 10:40 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Subcommittee amended and approved and submitted SSB 359 to the full Appropriations committee.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 26, 1981, 10:55 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Lura, Taylor and Wells.

Members Absent: none.

Other Committee Business: Made appropriations decisions.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 26, 1981, 10:45 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Anderson, Drake and Holden.

Members Absent: none.

Other Committee Business: Recommended appropriations for the Department of Transportation.

Adjourned: 11:45 a.m.

HUMAN RESOURCES

Convened: March 26, 1981, 1:33 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman (arrived 1:55 p.m.), Drake (arrived 1:45 p.m.), Gratias, Hulse and Vande Hoef.

Members Absent: A. Miller, Nystrom and Slater (excused).

Final Bill Action: Senate File 534, a bill for an act relating to reimbursement to the state from the personal deposit funds of patients at the state mental health institutes or hospital-schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gentleman, Yenger, C. Miller, Carr, Coleman, Drake, Gratias, Hulse and Vande Hoef. Nays, none. Absent or not voting, 3: A. Miller, Nystrom and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 535, a bill for an act relating to the chronic renal disease program within the department of public health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gentleman, Yenger, C. Miller, Carr, Coleman, Drake, Gratias, Hulse and Vande Hoef. Nays, none. Absent or not voting, 3: A. Miller, Nystrom and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 536, a bill for an act relating to multidisciplinary team access to child abuse information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: C. Miller, Carr, Coleman, Drake, Gratias, Hulse and Vande Hoef. Nays, 2: Gentleman and Yenger. Absent or not voting, 3: A. Miller, Nystrom and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 537, a bill for an act to abolish the requirement for a premartial syphilis examination.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Gentleman, Yenger, C. Miller, Carr, Drake, Gratias, Hulse and Vande Hoef. Nays, 1: Coleman. Absent or not voting, 3: A. Miller, Nystrom and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Senate File 249 failed recommendation for passage; discussed committee bills.

Adjourned: 2:40 p.m.

NATURAL RESOURCES

Convened: March 25, 1981, 5:00 p.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Gentleman, Kudart, Tieden and Hutchins.

Members Absent: Van Gilst, Ranking Member; Gallagher and Rodgers.

Final Bill Action: Senate File 526, a bill for an act relating to the registration and operation of snowmobiles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Schwengels, Goodwin, Gentleman, Kudart and Tieden. Nays, none. Absent or not voting, 4: Hutchins, Van Gilst, Gallagher and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 5:20 p.m.

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from one hundred eighty-five residents of Iowa favoring legislation reinstating Cosmetology and Barber Inspectors.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred ten students from Park View Elementary School, Ankeny, Iowa. Senator Baugher.

AMENDMENTS FILED

S—3261	S. F.	512	Lucas J. DeKoster Bob Rush
S—3262	S. F.	384	John N. Nystrom
S—3263	S. F.	450	C.W. Bill Hutchins
S—3264	S. F.	420	Dick Ramsey
S—3265	S. F.	420	Dick Ramsey
S—3266	S. F.	403	Richard F. Drake

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 3:35 p.m., until 9:00 a.m., Tuesday, March 31, 1981.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 31, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by Dr. Lyle Lieder, pastor of the Clear Lake United Methodist Church, Clear Lake, Iowa.

Dr. Lieder was accompanied by his wife, Betty, who was the Iowa Mother of the Year and currently the American Mother of the Year.

The Journal of Monday, March 30, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, M.D., Marshalltown, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the morning session and Senator Comito for the day on request of Senator Hultman; Senator Rodgers for the day on request of Senator Junkins.

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, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 116, a bill for an act relating to the state fair board convention.

ALSO: That the House has on March 26, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 148, a bill for an act to allow monthly refunding of motor vehicle registration reciprocity fees.

ALSO: That the House has on March 26, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 159, a bill for an act relating to the gross weight and operation of certain multi-axle vehicles and combinations of vehicles subject to penalties provided by law.

ALSO: That the House has on March 26, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 251, a bill for an act relating to the reciprocity of certain fish and game licenses for nonresidents.

ALSO: That the House has on March 26, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 210, a bill for an act authorizing a city or county to issue revenue bonds to finance the acquisition of land, buildings, or improvements to be used by or for fairs or expositions.

ALSO: That the House has on March 26, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 441, a bill for an act relating to the fencing of railroad rights of way and providing penalties.

ALSO: That the House has on March 26, 1981, passed (with amendment H—3352 to page 1 adopted) the following bill in which the concurrence of the Senate is asked:

House File 751, a bill for an act to provide for special arson inspection warrants for the inspection of property destroyed by fire for the purpose of determining the cause, origin and circumstances of the fire.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 210, a bill for an act authorizing a city or county to issue revenue bonds to finance the acquisition of land, buildings, or improvements to be used by or for fairs or expositions.

Read first time and passed on file.

House File 441, a bill for an act relating to the fencing of railroad rights of way and providing penalties.

Read first time and passed on file.

House File 751, a bill for an act to provide for special arson inspection warrants for the inspection of property destroyed by fire for the purpose of determining the cause, origin and circumstances of the fire.

Read first time and **passed on file**.

HOUSE AMENDMENT TO SENATE FILE 116

S—3268

- 1 Amend Senate File 116 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Sec. ____ . Section 173.1, subsection 1, Code
- 5 1981, is amended to read as follows:
- 6 1. The governor of the state, the state secretary
- 7 of agriculture, and the president of the Iowa State
- 8 University of science and technology *or their qualified*
- 9 *representatives.*"
- 10 2. Page 1, by adding after line 11 the following:
- 11 "Sec. ____ . Section 173.2, Code 1981, is amended
- 12 by adding the following new subsections:
- 13 *NEW SUBSECTION. 11. The president, or an*
- 14 *accredited representative, of the Iowa home economist*
- 15 *association.*
- 16 *NEW SUBSECTION. 12. The president, or an*
- 17 *accredited representative, of the Iowa dietetics,*
- 18 *association.*
- 19 *NEW SUBSECTION. 13. The president, or an*
- 20 *accredited representative, of the Iowa arts council.*
- 21 *NEW SUBSECTION. 14. The president, or an*
- 22 *accredited representative, of the Iowa board of public*
- 23 *instruction."*
- 24 3. By renumbering and correcting internal
- 25 references as required by this amendment.

UNFINISHED BUSINESS
(Pending March 30, 1981)

Senate File 420

The Senate resumed consideration of Senate File 420, a bill for an act relating to the siting of hazardous waste treatment, storage and disposal facilities, providing penalties and imposing a surcharge on the fee for land burial of hazardous waste, and amendment S—3248 by Senator Deluhery, offered and pending.

Senator Deluhery moved the adoption of amendment S—3248 to page 1 of the bill and requested a non record roll call.

The ayes were 19, nays 23.

Amendment S—3248 lost.

Senator Craft offered amendment S—3269 filed by him from the floor to pages 4 and 8 of the bill and called for a division of the amendment: lines 2 through 7 as division S—3269A; lines 8 through 14 as division S—3269B; lines 15 through 23 as division S—3269C.

Senator Craft moved the adoption of division S—3269A and requested a non record roll call.

The ayes were 11, nays 34.

Division S—3269A lost.

Senator Craft withdrew division S—3269B.

Senator Craft moved the adoption of division S—3269C and requested a non record roll call.

A record roll call was requested.

On the question "Shall division S—3269C be adopted?" (S.F. 420) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Brown	Coleman	Craft	Deluhery
Dreeszen	Hester	Hulse	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 24:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	DeKoster	Doyle
Drake	Gallagher	Gentleman	Goodwin
Gratias	Holden	Hultman	Husak
Jensen	Kudart	Lura	Murray
Ramsey	Readinger	Rush	Schwengels

Absent or not voting, 4:

Comito Nystrom Rodgers Small

Division S—3269C lost.

Senator Ramsey offered amendment S—3264 filed by him on March 30, 1981, to page 6 of the bill and moved its adoption.

Amendment S—3264 was adopted by a voice vote.

Senator Coleman took the chair at 10:10 a.m.

Senator Rush withdrew amendment S—3247 filed by him on March 24, 1981, to page 7 of the bill.

Senator Readinger offered amendment S—3274 filed by Senators Readinger and Ramsey from the floor to page 7 of the bill and moved its adoption.

Amendment S—3274 was adopted by a voice vote.

Senator Ramsey offered amendment S—3265 filed by him on March 30, 1981, to page 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 12.

Amendment S—3265 was adopted.

Senator Ramsey offered amendment S—3273 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—3273 was adopted by a voice vote.

President Branstad took the chair at 10:55 a.m.

Senator Ramsey offered amendment S—3205 filed by Senators Ramsey, et al., on March 18, 1981, to page 8 of the bill.

Senator Gallagher raised the point of order that amendment S—3205 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3205 in order.

Senator Ramsey asked and received unanimous consent that action on amendment S—3205 be temporarily deferred.

Senator Deluhery offered amendment S—3276 filed by him from the floor to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3276 be adopted?" (S.F. 420) the vote was:

Ayes, 23:

Anderson	Briles	Brown	Carr
Coleman	Craft	Deluhery	Doyle
Dreeszen	Husak	Hutchins	Junkins
Miller, C.P.	Palmer	Priebe	Rush
Slater	Small	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, 22:

Baughner	Bisenius	Carney	Comito
DeKoster	Drake	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Jensen	Kudart	Lura
Murray	Ramsey	Readinger	Schwengels
Taylor	Yenger		

Absent or not voting, 5:

Gratias	Kinley	Miller, A.V.	Nystrom
Rodgers			

Amendment S—3276 was adopted.

Senator Ramsey offered amendment S—3277 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—3277 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that action on **Senate File 420** and amendment S—3205 be deferred.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:40 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Branstad 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 March 30, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 789, a bill for an act relating to unemployment compensation.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 789, a bill for an act relating to unemployment compensation by mandating rate table three for calendar years 1982 and 1983, by modifying the qualifications for a zero contribution rate, by extending the time period for set contribution rates for certain new employers, by surcharging the contribution rates of certain employers with negative balance accounts, by relieving reimbursable employers of certain charges paid to part-time employees, by providing for the deduction of only a portion of pension or retirement payments, by making changes in conformity with federal requirements regarding job service's fiscal year, taxation of separation pay, release of information to child support enforcement agencies, and extended benefit contribution, eligibility, and requalification requirements.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 16

By: Gratias and Brown

- 1 *Whereas*, the Iowa school foundation plan was enacted ten
- 2 years ago to provide a more equitable means of funding educa-
- 3 tional programs for the children of this state; and
- 4 *Whereas*, the Iowa school foundation plan has been exten-
- 5 sively amended since its enactment; and
- 6 *Whereas*, persons knowledgeable about educational issues

7 have called attention to inequities in the Iowa school
 8 foundation plan and the inability of various sizes and types
 9 of school districts to provide equal educational programs
 10 for the children of their districts; and
 11 *Whereas, it appears that a study of the Iowa school founda-*
 12 *tion plan and its effects upon the educational programs of*
 13 *school districts is necessary; Now Therefore,*
 14 *Be It Resolved by the Senate, the House Concurring, That*
 15 *the legislative council is directed to establish a*
 16 *comprehensive interim study of the state school foundation*
 17 *aid program and its effect upon the educational programs of*
 18 *the various school districts in this state. The study shall*
 19 *include a study of the current means of financing educational*
 20 *programs in this state and alternative methods. The study*
 21 *shall be conducted by a joint subcommittee consisting of*
 22 *members of both political parties of the committees on*
 23 *education of the house and senate.*
 24 *Be It Further Resolved, That the subcommittee shall submit*
 25 *a report of its recommendations, including legislative bill*
 26 *drafts to implement the recommendations, to the legislative*
 27 *council and to the general assembly meeting in 1982.*

Read first time and **passed on file.**

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

BUSINESS PENDING

Senate File 420

The Senate resumed consideration of Senate File 420 and amendment S—3205 by Senators Ramsey, et al., previously deferred.

Senator Ramsey offered amendment S—3281 filed by him from the floor to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 36.

Amendment S—3281 lost.

Senator Ramsey asked and received unanimous consent that action on **Senate File 420** and amendment S—3205 be **deferred**.

CONSIDERATION OF BILLS
(Steering Calendar)

Senate File 480

On motion of Senator Baugher, Senate File 480, a bill for an act relating to properties that are exempt from judicial process, was taken up for consideration.

Senator Baugher offered amendment S—3278 filed by Senators Baugher and Holden from the floor to page 1 of the bill.

Senator Junkins asked and received unanimous consent that action on **Senate File 480** and amendment S—3278 be **deferred**.

Senate File 408

On motion of Senator Waldstein, Senate File 408, a bill for an act relating to the production and sale of dairy products by updating certain standards and changing internal references required by the Interstate Milk Shippers Compact and by striking or repealing inconsistent provisions, was taken up for consideration.

Senator Waldstein moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 408) the vote was:

Ayes, 49:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 423

On motion of Senator Holden, Senate File 423, a bill for an act establishing definitions and rules of construction to be applied in connection with the interpretation of laws relating to real property loans, was taken up for consideration.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 423) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 420

The Senate resumed consideration of Senate File 420 and amendment S—3205 by Senators Ramsey, et al., previously deferred.

Senator Ramsey asked and received unanimous consent to withdraw amendment S—3205 to page 8 of the bill.

Senator Ramsey offered amendment S—3287 filed by him from the floor to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3287 be adopted?" (S.F. 420) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Anderson	Baughner	Bisenius	Briles
Comito	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hultman	Kudart	Lura
Murray	Nystrom	Ramsey	Schwengels
Taylor	Vande Hoef	Waldstein	Yenger

Nays, 26:

Brown	Carney	Carr	Coleman
Craft	Deluhery	Doyle	Gallagher
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rodgers
Rush	Slater	Small	Tieden
Van Gilst	Wells		

Amendment S—3287 lost.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 420) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
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Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Yenger	

Nays, 2:

Craft Waldstein

Absent or not voting, 1:

Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 425

On motion of Senator Hutchins, Senate File 425, a bill for an act relating to the Iowa housing finance authority and its records, loans, lending practices, and quorum requirements, was taken up for consideration.

Senator Baugher asked and received unanimous consent to withdraw amendment S—3275 filed by Senators Baugher and Holden from the floor to page 1 of the bill.

Senator Hutchins withdrew amendment S—3283 filed by him from the floor to page 2 of the bill.

Senator Hutchins offered amendment S—3286 filed by him from the floor to page 2 of the bill.

Senator DeKoster asked and received unanimous consent that action on **Senate File 425** and amendment S—3286 be **deferred**.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 420** be immediately messaged to the House.

CONSIDERATION OF BILL
(Steering Calendar)**Senate File 256**

On motion of Senator Rush, Senate File 256, a bill for an act relating to the powers of credit unions as these relate to amendment of bylaws, reciprocity, amount to be loaned to a member, merger, language contained in a share draft instrument, share draft reserves, and gifts to minors, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rush offered amendment S—3204 filed by the committee on Commerce on March 18, 1981, to pages 1 and 2 of the bill.

Senator Rush offered amendment S—3288 filed by him from the floor to amendment S—3204 and moved its adoption.

Amendment S—3288 was adopted by a voice vote.

Senator Rush moved the adoption of amendment S—3204 as amended, which motion prevailed by a voice vote.

Senator Rush offered amendment S—3271 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 41, nays 7.

Amendment S—3271 was adopted.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 256) the vote was:

Ayes, 49:

Anderson

Baugher

Bisenius

Briles

Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Voting present, 1:

Doyle

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 256** be immediately messaged to the House.

BUSINESS PENDING

Senate File 425

The Senate resumed consideration of Senate File 425 and amendment S—3286 by Senator Hutchins, previously deferred.

Senator Hutchins moved the adoption of amendment S—3286 to page 2 of the bill, which motion prevailed by a voice vote.

Senator Hutchins moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 425) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery

Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 425** be immediately messaged to the House.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 435

On motion of Senator Holden, Senate File 435, a bill for an act relating to the regulation of savings and loan associations, was taken up for consideration.

Senator Husak offered amendment S—3225 filed by Senators Husak and Rush on March 19, 1981, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 20.

Amendment S—3225 was adopted.

Senator Junkins offered amendment S—3289 filed by Senators Junkins and Deluhery from the floor to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 31.

Amendment S—3289 lost.

Senator Holden offered amendment S—3222 filed by him on March 19, 1981, to page 4 of the bill and moved its adoption.

Amendment S—3222 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 435) the vote was:

Ayes, 49:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Baughner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked unanimous consent that Senate File 435 be immediately messaged to the House.

Objection was raised by Senator Junkins.

Senator Hultman withdrew his request.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 435 passed

the Senate on March 31, 1981.

LOWELL L. JUNKINS

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3289 to Senate File 435 failed to be adopted by the Senate on March 31, 1981.

LOWELL L. JUNKINS

CONSIDERATION OF BILL
(Steering Calendar)

Senate File 355

On motion of Senator Holden, Senate File 355, a bill for an act requiring the Iowa housing finance authority to expend at least fifty percent of proceeds from bond sales for the construction of new housing, with report of committee recommending passage, was taken up for consideration.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 355) the vote was:

Ayes, 46:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 1:

Craft

Absent or not voting, 3:

Comito	Junkins	Rush
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 355** be immediately messaged to the House.

CONSIDERATION OF BILLS (Steering Calendar)

Senate File 456

On motion of Senator Hester, Senate File 456, a bill for an act relating to the jurisdictional transfer of highways and streets, was taken up for consideration.

Senator Drake offered amendment S—3292 filed by him from the floor to page 1 of the bill.

Senator Taylor took the chair at 4:20 p.m.

Senator Hester offered amendment S—3297 filed by him from the floor to amendment S—3292.

Senator Hutchins asked and received unanimous consent that action on **Senate File 456**, amendment S—3292 and amendment S—3297 to amendment S—3292 be **deferred**.

Senate File 466

On motion of Senator Holden, Senate File 466, a bill for an act relating to the processing exemption in the state sales, services, and use tax by including in the definition of services used in processing of tangible personal property, the reconditioning or repairing of used tangible property held for resale upon which the sales, services, or use tax will be paid when the property is sold, was taken up for consideration.

Senator Holden offered amendment S—3270 filed by Senators Holden, et al., from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3270 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 466) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

APPENDIX

REPORT OF THE STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

S.F. 539
 S.F. 259
 S.F. 394
 S.F. 479
 S.F. 513
 S.F. 514
 S.F. 517
 S.F. 519
 S.F. 209
 S.F. 414
 S.F. 520
 S.F. 528

CALVIN O. HULTMAN, Chairperson

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 395 passed the Senate on March 30, 1981.

ARTHUR A. SMALL, JR.

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. C.R.	15	Rules and Administration
H.C.R.	22	Rules and Administration

COMMUNICATION FROM THE SECRETARY OF STATE

March 31, 1981

Ms. Linda Mackay
 Secretary of the Senate
 State Capitol Building
 LOCAL

I hereby certify that Senate File 112 was published in the Ankeny Press-Citizen,

Ankeny, Iowa, on March 19, 1981, and in the Lee Town News, Des Moines, Iowa, on March 19, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 384, the following technical correction was made:

- 1. Amendment S—3178, page 1, line 6, the comma should not be underlined.

LINDA HOWARTH MACKAY
Secretary of the Senate

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent for the vote on Senate File 420 because I was in the House chamber working on an amendment on another bill.

Had I been present, I would have voted "aye".

ARTHUR A. SMALL, JR.

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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 31st day of March, 1981.

Senate File 152.

LINDA HOWARTH MACKAY
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 30, 1981, 7:17 p.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown, Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Approved budget recommendations for social services programs for FY 82-83.

Adjourned: 11:30 p.m.

AGRICULTURE

Convened: March 31, 1981, 8:10 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein.

Members Absent: none.

Final Bill Action: House File 466, a bill for an act relating to the creation of conservancy district wards.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hester, Hutchins, Dreeszen, Hulse, Husak, A. Miller, Van Gilst and Waldstein. Nays, 2: Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 8:55 a.m.

REPORT OF COMMITTEE

STATE GOVERNMENT

Final Bill Action: Senate File 524, a bill for an act establishing a transportation regulation authority to replace the three-member transportation regulation board with a January 1, 1982 effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in

the Senate gallery:

Thirty-six students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by William Mueller. Senators Hulse and Bisenius.

Thirty-two students from Washington and Walsh Junior High Schools, Ottumwa, Iowa, accompanied by Rosemary Corbett and Barry Irelan. Senator Yenger.

Twenty-nine students from Logan Junior High School, Waterloo, Iowa, accompanied by David Miller and Mrs. Zander. Senator Anderson.

Fifty-eight students from Britt Elementary School, Britt, Iowa, accompanied by Reta Klipping and Vi Sankey. Senator Taylor.

Forty-two students from Carson-Macedonia High School, Carson, Iowa, accompanied by Mrs. Rosemary Witt. Senator Hultman.

AMENDMENTS FILED

S-3267	S. F.	412	Calvin O. Hultman
S-3269	S. F.	420	Rolf V. Craft
S-3270	S. F.	466	Edgar H. Holden Rolf V. Craft David M. Readinger Berl E. Priebe
S-3271	S. F.	256	Bob Rush
S-3272	S. F.	474	John W. Jensen
S-3273	S. F.	420	Dick Ramsey
S-3274	S. F.	420	David M. Readinger Dick Ramsey
S-3275	S. F.	425	Gary L. Baugher Edgar H. Holden
S-3276	S. F.	420	Patrick J. Deluhery
S-3277	S. F.	420	Dick Ramsey
S-3278	S. F.	480	Gary L. Baugher Edgar H. Holden
S-3279	S. F.	370	Rolf V. Craft
S-3280	S. F.	412	Calvin O. Hultman
S-3281	S. F.	420	Dick Ramsey

S—3282	S. F.	370	Sue Yenger Forrest V. Schwengels Tom Slater
S—3283	S. F.	425	C.W. Bill Hutchins
S—3284	S. F.	464	Forrest V. Schwengels
S—3285	S. F.	412	Dick Ramsey
S—3286	S. F.	425	C.W. Bill Hutchins
S—3287	S. F.	420	Dick Ramsey
S—3288	S. F.	256	Bob Rush
S—3289	S. F.	435	Lowell L. Junkins Patrick J. Deluhery
S—3290	S. F.	470	Joe Brown
S—3291	S. F.	527	Donald V. Doyle Lucas J. DeKoster John S. Murray
S—3292	S. F.	456	Richard F. Drake
S—3293	S. F.	468	Elvie Dreeszen
S—3294	S. F.	524	Richard F. Drake
S—3295	S. F.	370	Sue Yenger Forrest V. Schwengels Tom Slater James E. Briles Stephen W. Bisenius Alvin V. Miller Bass Van Gilst Richard F. Drake Merlin D. Hulse C.W. Bill Hutchins Bob Carr Lowell L. Junkins Norman J. Goodwin Joe Brown John N. Nystrom Richard Comito James D. Wells Emil Husak John W. Jensen Ted Anderson Charles P. Miller C. Joseph Coleman James V. Gallagher Donald V. Doyle

			Berl E. Priebe
			Arthur A. Small, Jr.
			Bob Rush
			Norman Rodgers
			Dale L. Tieden
S—3296	S. F.	527	John S. Murray
S—3297	S. F.	456	Jack W. Hester
S—3298	S. F.	370	Sue Yenger
			Forrest V. Schwengels
			Tom Slater
S—3299	S. F.	370	Sue Yenger
S—3300	S. F.	370	Sue Yenger
S—3301	S. F.	370	Julia Gentleman
			Charles P. Miller
S—3302	S. F.	539	Calvin O. Hultman

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Wednesday, April 1, 1981.

Note: For explanation of brackets and italics, see page 58 of the Senate Journal.

JOINT MEMORIAL SERVICE

House Chamber

7:30 p.m.

PROGRAM

Representative Kenneth De Groot, Presiding

Prelude

Pastoral Symphony G.F. Handel

Arioso Alexander Schreiner

The Peaceful Forests Heinrich Isaak

Representative Jim Clements, Davenport

Invocation Representative Lester Menke, Calumet

“The Old Rugged Cross Made the Difference” The Gaither Trio

Senator Jack Hester, Honey Creek
Kandy Hester, Accompanist

MEMORIALS—HOUSE OF REPRESENTATIVES

Reading: Representative Doug Ritsema, Orange City

“If I Can Help Somebody” A. Bazel Androzzo

Clarretta De Groot, Clerk to Representative Kenneth De Groot
Representative Jim Clements, Accompanist

MEMORIALS—HOUSE AND SENATE

Reading: Senator Rolf Craft, Decorah

“God of Our Fathers” Warren-Reynolds

Legislative Chorus: Senator Ray Taylor, Steamboat Rock, Director
Representative Jim Clements, Accompanist

MEMORIALS—HOUSE OF REPRESENTATIVES

Reading: Representative Kenneth Miller, Independence

“Give Me the Roses While I Live” Traditional

Representative Andy McKean, Morley, Soloist and Accompanist

MEMORIALS—SENATE

Reading: Senator Bass Van Gilst, Oskaloosa

“Now Let Us Come Before Him”..... Bach

“Celebration”

Joyce Lewis, Mary Jane Tesdall, Paul Stageberg, Bill Pratt

MEMORIALS—HOUSE OF REPRESENTATIVES

Reading: Representative W.W. “Bill” Dieleman, Pella

“America, The Beautiful” Ward-Whitman

Legislative Chorus

Benediction..... Senator Arthur L. Gratias, Nora Springs

“God Bless America” Peter C. Lutkin

Legislative Chorus

Postlude

“I Will Lift Up Mine Eyes”..... Alexander Schreiner

Representative Jim Clements, Davenport

IN MEMORIAM

SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE

Honorable Carl T. Anderson (Washington County) House—53rd. (Henry and Washington Counties) Senate—54th, 55th, 56th and 57th.

Honorable Joseph B. Flatt (Madison County) House—58th. (Adair, Cass and Madison Counties) Senate—59th, 60th, 60x, 61st, 62nd and 63rd.

Honorable Lawrence Putney (Tama County) House—51st, 52nd, 53rd, 54th and 55th. (Benton, Grundy and Tama Counties) Senate—56th, 57th, 58th, 60th and 60x.

SERVED IN THE SENATE

Honorable John W. Billingsley (Jasper County) 46th and 47th.

Honorable Charles B. Hoeven (Lyon, O’Brien, Osceola and Sioux Counties) 47th and 48th (President Pro Tempore in 48th).

Honorable Donald S. McGill (Appañoose, Lucas, Monroe and Wayne Counties) 61st, 62nd and 63rd.

Honorable Orval C. Walter (Adams and Taylor Counties) 59th, 60th and 60x.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Alfred P. Breitbach, (Dubuque County) 60th, 61st and 62nd.

Honorable Dale Theron Crozier (Linn County) 61st and 63rd.

Honorable Carl Hirsch (Warren County) 57th, 58th, 59th and 60th.

Honorable G.T. Kuester (Cass County) 52nd and 53rd.

Honorable Casey Loss (Kossuth County) 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 60x and 61st.

Honorable Eldon M. Morgan (Mahaska County) 61st.

Honorable Henry C. Nelson (Winnebago County) 56th, 57th, 58th, 59th, 60th and 60x. Speaker of the House 59th.

Honorable John P. Shannahan (Woodbury County) 61st.

Honorable Robert Earl Rider, Sr. (Marshall County) 61st.

Honorable Warren Wells (Pottawattamie County) 53rd.

Honorable Fred L. Wright (Benton County) 60th.

Honorable Ray Yenter (Johnson County) 39th, 40th and 41st.

* * * * *

CANDLELIGHTERS

Senator C.W. Bill Hutchins, Guthrie Center
 Senator Mick Lura, Marshalltown
 Representative Dorothy Carpenter, West Des Moines
 Representative Bill Sullivan, Cantril

* * * * *

HOSTING

Senator Julia Gentleman, Des Moines
 Senator Dale L. Tieden, Elkader
 Representative Frank Crabb, Denison

Representative Lee Holt, Spencer
Representative Dennis Renaud, Altoona
Representative Marcia Walter, Council Bluffs

* * * * *

LEGISLATIVE CHORUS

Golda Beals, Liz Isaacson, Ruth Daggett, Bonnie King, Emily Dieleman, Maxine Mann, Nancy Shimanek, Harold Missman, Walter Conlon, Douglas Smalley, Mary Taylor, Haleen Pellett, Lois Danker, Harriet Vande Hoef, Maxine Lauritzen, Mickey Waller, Jess Mann, Clarretta De Groot, William W. Dieleman, Clarence Carney, Gerry Rydell, Mary Ann Scott, Mary Rhoads, Art Borwick, Jack Hester, Joyce Lewis, Doug Ritsema, Sonja Egenes and Karen Mann.

Senator Ray Taylor, Steamboat Rock, Director

Representative Jim Clements, Davenport, Accompanist

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SENATE MEMORIAL COMMITTEE

Honorable Dale L. Tieden, Elkader, Chairperson
Honorable C.W. Bill Hutchins, Guthrie Center
Honorable Mick Lura, Marshalltown
Honorable Bass Van Gilst, Oskaloosa

HOUSE MEMORIAL COMMITTEE

Honorable Frank Crabb, Denison, Chairperson
Honorable Kenneth De Groot, Doon
Honorable W.W. (Bill) Dieleman, Pella
Honorable Rollin K. Howell, Marble Rock

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 1, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend Paul Ofstedal, Coordinator for Congregational Life for the Iowa District of the American Lutheran Church, Storm Lake, Iowa.

The Journal of Tuesday, March 31, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. B.H. Osten, M.D., Northwood, 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 on March 30, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 462, a bill for an act relating to the withdrawal of land from a benefited fire district.

ALSO: That the House has on March 30, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 746, a bill for an act relating to the issuance by the commissioner of health of citations to health care facilities.

ALSO: That the House has on March 30, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 757, a bill for an act relating to easements for certain sewer, water, or gas or power lines within a city.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 462, a bill for an act relating to the withdrawal of

land from a benefited fire district.

Read first time and **passed on file.**

House File 746, a bill for an act relating to the issuance by the commissioner of health of citations to health care facilities.

Read first time and **passed on file.**

House File 757, a bill for an act relating to easements for certain sewer, water, or gas or power lines within a city.

Read first time and **passed on file.**

CONSIDERATION OF BILLS (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 468.

Senate File 468

On motion of Senator Dreeszen, Senate File 468, a bill for an act relating to the payment of tuition and transportation costs of certain children in charitable institutions and licensed boarding homes, was taken up for consideration.

Senator Dreeszen offered amendment S—3293 filed by him on March 31, 1981, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3293 was adopted by a voice vote.

Senator Dreeszen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 468) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Holden	Hulse
Husak	Hutchins	Jensen	Junkins

Kudart	Miller, C.P.	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Tieden	Vande Hoef	Van Gilst	Wells
Yenger			

Nays, none.

Absent or not voting, 9:

Comito	Hester	Hultman	Kinley
Lura	Miller, A.V.	Murray	Taylor
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 370

On motion of Senator Gentleman, Senate File 370, a bill for an act reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services, with report of committee without recommendation, was taken up for consideration.

Senator Yenger offered amendment S—3295 filed by Senators Yenger, et al., on March 31, 1981, to strike everything after the enacting clause and to the title page of the bill.

Senator Yenger offered amendment S—3303 filed by her from the floor to amendment S—3295 and moved its adoption.

Amendment S—3303 was adopted by a voice vote.

Senator Yenger offered amendment S—3298 filed by Senators Yenger, Schwengels and Slater on March 31, 1981, to amendment S—3295.

Senator Gentleman called for a division of amendment S—3298: lines 3 and 4 and lines 6 through 20 as division S—3298A; line 5 as division S—3298B.

Senator Yenger moved the adoption of division S—3298A to amendment S—3295, which motion prevailed by a voice vote.

Senator Yenger moved the adoption of division S—3298B to amendment S—3295.

A non record roll call was requested.

The ayes were 22, nays 26.

Division S—3298B lost.

Senator Yenger offered amendment S—3299 filed by her on March 31, 1981, to amendment S—3295 and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 24.

Amendment S—3299 lost.

Senator Yenger offered amendment S—3306 filed by her from the floor to amendment S—3295 and moved its adoption.

Amendment S—3306 was adopted by a voice vote.

Senator Yenger moved the adoption of amendment S—3295 as amended.

A record roll call was requested.

On the question "Shall amendment S—3295 as amended be adopted?" (S.F. 370) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Anderson	Bisenius	Briles	Brown
Carr	Coleman	Doyle	Gallagher
Goodwin	Hulse	Husak	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Priebe
Rodgers	Rush	Schwengels	Slater
Small	Tieden	Van Gilst	Wells
Yenger			

Nays, 24:

Baughner	Carney	Comito	Craft
DeKoster	Deluhery	Dreeszen	Gentleman
Gratias	Hester	Holden	Hultman
Jensen	Kinley	Kudart	Lura
Murray	Nystrom	Palmer	Ramsey
Readinger	Taylor	Vande Hoef	Waldstein

Absent or not voting, 1:

Drake

Amendment S—3295 as amended was adopted.

Senator Hultman raised the point of order that with the adoption of amendment S—3295 as amended, Senate File 370 establishes a new state department and, therefore, should be referred to the committee on State Government under Senate Rule 37.

The Chair ruled the point well taken and Senate File 370 was referred to the committee on State Government under Senate Rule 37.

UNFINISHED BUSINESS (Deferred March 31, 1981)

Senate File 456

The Senate resumed consideration of Senate File 456, a bill for an act relating to the jurisdictional transfer of highways and streets, and amendment S—3292 by Senator Drake and amendment S—3297 by Senator Hester to amendment S—3292, deferred on March 31, 1981.

Senator Hutchins offered amendment S—3304 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3304 was adopted by a voice vote.

Senator Hutchins offered amendment S—3307 filed by Senators Hutchins and Coleman from the floor to page 1 of the bill and moved its adoption.

Amendment S—3307 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3292 to page 1 of the bill, deferred on March 31, 1981.

Senator Hutchins offered amendment S—3305 filed by Senators Hutchins, Briles and Coleman from the floor to amendment S—3292 and moved its adoption.

Amendment S—3305 was adopted by a voice vote.

Senator Hester moved the adoption of amendment S—3297 to amendment S—3292, deferred on March 31, 1981.

Amendment S—3297 was adopted by a voice vote.

Senator Drake moved the adoption of amendment S—3292 as amended, which motion prevailed by a voice vote.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 456) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Voting present, 1:

Miller, C.P.

Absent or not voting, 1:

Holden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RESOLUTION REFERRED TO COMMITTEE

Senator Priebe asked and received unanimous consent that House Concurrent Resolution 9 be referred from the Regular Calendar to the committee on **County Government**.

WITHDRAWN

Senator Hester asked and received unanimous consent that **Senate File 266** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS
(Steering Calendar)**Senate File 539**

On motion of Senator Gratias, Senate File 539, a bill for an act relating to workers' compensation and providing a penalty, was taken up for consideration.

Senator Junkins asked and received unanimous consent that action on **Senate File 539** be **deferred**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 513.

Senate File 513

On motion of Senator Coleman, Senate File 513, a bill for an act relating to the penalty for failure to record a conveyance or lease of agricultural land within the specified time, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **Senate File 513** be **deferred**.

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, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 771, a bill for an act relating to the regulation of public utilities.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 771, a bill for an act relating to the regulation of public utilities by providing for the continuing audit of utility

operations, the review of annual reports by the commission, the exemption of certain telephone companies from rate regulation, the exemption of certain water companies from commission regulation, the retroactive refund of excess charges collected after notice to the utility, the requirement that the commission approve temporary rates to be collected during rate-making proceedings, and time limitations for commission decisions in rate-making proceedings, a commerce commission investigation of the practice of allowing a public utility to recover advertising costs from its customers, to take effect upon publication.

Read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 540, by Taylor, a bill for an act relating to the establishment of a department of human rights.

Read first time and **passed on file.**

RECESS

On motion of Senator Hultman, the Senate recessed at 12:00 noon, until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Branstad presiding.

QUORUM CALL

Senator Carney requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

CONSIDERATION OF BILLS

(Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 519.

Senate File 519

On motion of Senator Ramsey, Senate File 519, a bill for an act related to certain regulated or prohibited activities and providing penalties, was taken up for consideration.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 519) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Coleman	Craft
DeKoster	DeLuhery	Doyle	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Jensen	Junkins	Kudart
Miller, A.V.	Murray	Nystrom	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Yenger			

Nays, 4:

Hutchins	Lura	Miller, C.P.	Wells
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Absent or not voting, 5:

Carr	Comito	Drake	Kinley
Palmer			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 209

On motion of Senator Taylor, Senate File 209, a bill for an act to amend the county agricultural extension law by providing for approval of the county agricultural extension council budget by the board of supervisors and increasing the dollar amount which may be levied for budget, with report of committees on County Government and Ways and Means recommending passage, was taken up for consideration.

Senator Jensen offered amendment S-3102 filed by him on

March 2, 1981, to page 1 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3102 be adopted?" (S.F. 209) the vote was:

Ayes, 9:

Anderson	DeKoster	Goodwin	Hester
Hulse	Jensen	Kudart	Slater
Vande Hoef			

Nays, 38:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Coleman	Craft
Deluhery	Doyle	Dreeszen	Gallagher
Gentleman	Gratias	Hultman	Husak
Hutchins	Junkins	Kinley	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Van Gilst	Waldstein
Wells	Yenger		

Absent or not voting, 3:

Comito	Drake	Holden
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Amendment S—3102 lost.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 209) the vote was:

Ayes, 39:

Anderson	Briles	Brown	Carney
Coleman	Craft	DeKoster	Doyle
Dreeszen	Gallagher	Goodwin	Gratias
Hester	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 9:

Baughner
Gentleman
Small

Bisenius
Holden

Carr
Rush

Deluhery
Slater

Absent or not voting, 2:

Comito

Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 414

On motion of Senator Anderson, Senate File 414, a bill for an act to provide for the purchase by certain state agencies of motor vehicles manufactured in this country which meet certain fuel efficiency requirements, with report of committee recommending passage, was taken up for consideration.

Senator Husak took the chair at 2:43 p.m.

Senator Anderson offered amendment S—3309 filed by Senators Anderson and Drake from the floor to pages 1 and 2 of the bill.

Senator Craft asked unanimous consent that action on amendment S—3309 be deferred for preparation of a fiscal note.

Senator Craft withdrew his request.

Senator Anderson asked and received unanimous consent that action on **Senate File 414** and amendment S—3309 be **deferred**.

BUSINESS PENDING

Senate File 513

The Senate resumed consideration of Senate File 513, previously deferred.

Senator Priebe offered amendment S—3315 filed by Senators Priebe, et al., from the floor to page 1 of the bill and moved its adoption

Amendment S—3315 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 513) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	Deluhery	Doyle	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Comito	DeKoster	Drake	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Comito and Drake for the afternoon session on request of Senator Hultman.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 520

On motion of Senator Carney, Senate File 520, a bill for an act to strike portions of the Code providing for reductions in state aid during a school year due to reductions in special education weighting factors, was taken up for consideration.

Senator Carney moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 520) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Comito	Drake	Murray
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 414

The Senate resumed consideration of Senate File 414 and amendment S—3309 by Senators Anderson and Drake, previously deferred.

Senator Craft offered amendment S—3317 filed by him from the floor to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3317 be adopted?" (S.F. 414) the vote was:

Ayes, 18:

Bisenius	Carney	Craft	DeKoster
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Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Lura	Murray
Priebe	Ramsey	Taylor	Vande Hoef
Van Gilst	Waldstein		

Nays, 29:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Deluhery	Doyle
Dreeszen	Gallagher	Gratias	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Readinger	Rodgers	Schwengels
Slater	Small	Tieden	Wells
Yenger			

Absent or not voting, 3:

Comito	Drake	Rush
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Amendment S—3317 lost.

Senator Anderson moved the adoption of amendment S—3309 to pages 1 and 2 of the bill, previously deferred, and requested a non record roll call.

The ayes were 34, nays 8.

Amendment S—3309 was adopted.

Senator Gallagher offered amendment S—3325 filed by Senators Gallagher, et al., from the floor to page 2 of the bill and moved its adoption.

Amendment S—3325 was adopted by a voice vote.

Senator Anderson moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 414) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 34:

Anderson	Baughner	Briles	Brown
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Carr	Coleman	Deluhery	Doyle
Dreeszen	Gallagher	Gratias	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Readinger	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Wells	Yenger		

Nays, 13:

Bisenius	Carney	Craft	DeKoster
Gentleman	Goodwin	Hester	Holden
Hulse	Ramsey	Vande Hoef	Van Gilst
Waldstein			

Absent or not voting, 3:

Comito	Drake	Rush
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Branstad took the chair at 4:22 p.m.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 517.

Senate File 517

On motion of Senator Ramsey, Senate File 517, a bill for an act relating to certain crimes including accessory after the fact, assault, terrorism, attempted burglary, theft, and other crimes which may result from the use of force in excess of reasonable force, and providing penalties, was taken up for consideration.

Senator Ramsey asked and received unanimous consent that action on amendment S—3320 filed by Senators Ramsey, et al., from the floor to page 1 of the bill be temporarily deferred.

Senator Ramsey offered amendment S—3322 filed by Senators Ramsey, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—3322 was adopted by a voice vote.

Senator Ramsey offered amendment S—3321 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3321 was adopted by a voice vote.

The Chair ruled amendment S—3320 by Senators Ramsey, et al., to page 1 of the bill, previously deferred, out of order.

Senator Taylor offered amendment S—3328 filed by him from the floor to page 3 of the bill.

Senator Junkins raised the point of order that amendment S—3328 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3328 out of order.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 517) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Dreeszen	Gallagher	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 1:

Gentleman

Absent or not voting, 3:

Comito Drake Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 31, 1981)

Senate File 480

The Senate resumed consideration of Senate File 480, a bill for an act relating to properties that are exempt from judicial process and amendment S—3278 by Senators Baugher and Holden, deferred on March 31, 1981.

Senator Small offered amendment S—3333 filed by Senators Small, et al., from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 14.

Amendment S—3333 was adopted.

Senator Baugher asked and received unanimous consent to withdraw amendment S—3278 to page 1 of the bill, deferred on March 31, 1981.

Senator Baugher moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 480) the vote was:

Ayes, 39:

Anderson	Baugher	Bisenius	Brown
Carney	Coleman	Craft	DeKoster
Doyle	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lura	Miller, A.V.
Miller, C.P.	Murray	Priebe	Ramsey
Readinger	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Yenger	

Nays, 8:

Briles	Carr	Deluhery	Gallagher
Kudart	Palmer	Rush	Van Gilst

Absent or not voting, 3:

Comito

Drake

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Files 468, 456, 519, 513, 209, 520, 414, 517 and 480** be immediately messaged to the House.

APPENDIX
COMMUNICATION

The following communication was filed with the Secretary of the Senate on March 26, 1981:

March 26, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 7 claims of a general nature. This supplements our filing of December 22, 1980.

Index is attached showing number of claim, name and address of claimant, amount of claim and action taken.

Very truly yours,
MAURICE E. BARINGER
Chairman
State Appeal Board

Receipt of the above is hereby acknowledged.

LINDA HOWARTH MACKAY
Secretary of the Senate

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
6608-69-25	Francis Bisenius Wallingford Transportation Reimbursement	\$ 160.00	Disapproved
9763-69-25	Larry A. Smith Dubuque License Refund	Undetermined	Disapproved
9834-69-25	Mike Lines, Inc. Fredericksburg Prorate Refund	255.40	Disapproved

9846-69-25	Don Hughes LeMars Prorate Refund	1,816.09	Disapproved
9862-69-25	Rhodes Clinic, P.C. Pocahontas Outdated XIX claim	98.00	Disapproved
9865-69-25	Les Brown Denison Prorate Refund	206.13	Disapproved
9883-69-25	Darrell W. Pudenz Breda Prorate Refund	400.35	Disapproved

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 31, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 172—To establish short term liquor licenses and beer permits.

S.F. 228—Repealing a requirement for transference of certain male prisoners.

S.F. 262—To revise the regulation of land disturbing activities.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 58, I hereby request that the name of Kenneth Kassel be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JOE BROWN

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. C.R.	16	Rules and Administration
H.F.	210	County Government
H.F.	441	Judiciary
H.F.	751	Judiciary
H.F.	789	Labor and Industrial Relations

STUDY BILL RECEIVED

S.S.B. 391 Appropriations

Making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense.

COMMUNICATION FROM THE SECRETARY OF STATE

April 1, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

I hereby certify that House File 398 was published in The Messenger, Fort Dodge, Iowa, on March 25, 1981, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, on March 26, 1981.

Respectfully submitted
MARY JANE ODELL
Secretary of State

FURTHER
REPORT OF COMMITTEE MEETING

AGRICULTURE*

*A previous report of this meeting was recorded on page 984 of the Senate Journal.

Final Bill Action: Senate File 321, a bill for an act relating to the fees and licenses issued by the department of agriculture.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3314.

Final Vote: Ayes, 8: Taylor, Hester, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef and Waldstein. Nays, 1: Hutchins. Absent or not voting, 1: Van Gilst.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CLAIMS

Convened: March 31, 1981, 12:40 p.m.

Members Present: Murray, Chairperson and Comito (arrived 1:10 p.m.).

Members Absent: Small, Ranking Member and Briles.

Other Committee Business: Considered payment of claims previously denied by State Appeals Board.

Adjourned: 1:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 26, 1981, 10:50 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member; Dreeszen, Hutchins and Nystrom (arrived 11:30 a.m.).

Members Absent: none.

Other Committee Business: Action on study bills for Board of Regents bonding and tuition replacement.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: April 1, 1981, 8:35 a.m.

Members Present: Carney, Chairperson; Van Gilst, Ranking Member and Hutchins.

Members Absent: Dreeszen and Nystrom.

Other Committee Business: Final approval of bills for Board of Regents bonding and tuition replacement.

Adjourned: 8:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 31, 1981, 7:30 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, A. Miller and Kudart.

Members Absent: none.

Other Committee Business: Made budget recommendations.

Adjourned: 9:00 a.m.

NATURAL RESOURCES

Convened: April 1, 1981, 8:00 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden and Hutchins.

Members Absent: Gallagher and Rodgers (excused).

Final Bill Action: House File 396, a bill for an act relating to an income tax checkoff for the state fish and game protection fund.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3310.

Final Vote: Ayes, 7: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden and Hutchins. Nays, none. Absent or not voting, 2: Gallagher and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 8:30 a.m.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

S.F. 474
S.F. 123
S.F. 459
S.F. 484
S.F. 482
S.F. 507
S.F. 469
S.F. 509
S.F. 463
S.F. 530
S.F. 489
S.F. 506
S.F. 455
S.F. 500
S.F. 438
S.F. 464
S.F. 531
S.F. 522
S.F. 439

CALVIN O. HULTMAN, Chairperson

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-one students from Midland Community School, Wyoming, Iowa, accompanied by Mr. Heiar and Mr. Park. Senator Hulse.

Forty-five students from Remsen St. Mary's School, Remsen, Iowa, accompanied by Sister Delores Smith. Senators Waldstein and DeKoster.

AMENDMENTS FILED

S-3303	S. F.	370	Sue Yenger
S-3304	S. F.	456	C.W. Bill Hutchins
S-3305	S. F.	456	C.W. Bill Hutchins James E. Briles C. Joseph Coleman
S-3306	S. F.	370	Sue Yenger
S-3307	S. F.	456	C.W. Bill Hutchins C. Joseph Coleman
S-3308	H.F.	293	Berl E. Priebe
S-3309	S. F.	414	Ted Anderson Richard F. Drake
S-3310	H.F.	396	Natural Resources Committee
S-3311	S. F.	464	Forrest V. Schwengels
S-3312	H.F.	293	Berl E. Priebe
S-3313	S. F.	521	Edgar H. Holden
S-3314	S. F.	321	Agriculture Committee
S-3315	S. F.	513	Berl E. Priebe Bass Van Gilst C. Joseph Coleman James V. Gallagher
S-3316	S. F.	536	Richard Vande Hoef
S-3317	S. F.	414	Rolf V. Craft
S-3318	H.F.	466	Arne Waldstein
S-3319	S. F.	535	Sue Yenger
S-3320	S. F.	517	Dick Ramsey Gary L. Baugher Dale L. Tieden Stephen W. Bisenius
S-3321	S. F.	517	Dick Ramsey
S-3322	S. F.	517	Dick Ramsey Gary L. Baugher Dale L. Tieden Stephen W. Bisenius

S-3323	S. F.	459	Jack W. Hester
S-3324	S. F.	506	David M. Readinger
S-3325	S. F.	414	James V. Gallagher Gary L. Baugher Ted Anderson Lowell L. Junkins
S-3326	S. F.	491	Lucas J. DeKoster
S-3327	S. F.	506	Edgar H. Holden
S-3328	S. F.	517	Ray Taylor
S-3329	S. F.	521	John S. Murray
S-3330	S. F.	474	C. Joseph Coleman
S-3331	S. F.	474	Edgar H. Holden
S-3332	S. F.	123	Edgar H. Holden
S-3333	S. F.	480	Arthur A. Small, Jr. Gary L. Baugher Bob Rush Edgar H. Holden
S-3334	S. F.	435	Lowell L. Junkins Patrick J. Deluhery
S-3335	S. F.	439	Bob Carr

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Thursday, April 2, 1981.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 2, 1981

The Senate met in regular session at 9:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Rollin G. Oswald, pastor of the United Methodist Church, West Des Moines, Iowa.

The Journal of Wednesday, April 1, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wayne Rouse, M.D., Boone, Iowa.

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, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 759, a bill for an act relating to the number of years city records are required to be kept.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 759, a bill for an act relating to the number of years city records are required to be kept.

Read first time and **passed on file**.

CONSIDERATION OF BILLS (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 123.

Senate File 123

On motion of Senator Holden, Senate File 123, a bill for an act relating to the types and form of administrative rules to be promulgated, the rights of the public to participate in the rule-making process, and the powers of the governor, the administrative rules review committee, and the attorney general in reviewing that process, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3200 filed by him on March 17, 1981, to pages 1 and 2 of the bill and called for a division of the amendment: lines 2 through 9 as divisions S—3200A; lines 10 through 13 as division S—3200B.

Senator Rush called for a further division of amendment S—3200: lines 4 through 9 as division S—3200A; lines 10 through 13 as division S—3200B; lines 2 and 3 as division S—3200C.

Senator Holden moved the adoption of division S—3200A, which motion prevailed by a voice vote.

Senator Briles asked unanimous consent that action on Senate File 123 and divisions S—3200B and S—3200C be deferred.

Senator Briles withdrew his request.

Senator Holden moved the adoption of division S—3200B, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—3200C, which motion prevailed by a voice vote.

Senator Holden withdrew amendment S—3029 filed by him on January 28, 1981, to page 1 of the bill.

Senator Husak offered amendment S—3092 filed by him on February 24, 1981, to pages 1 and 4 of the bill and called for a division of the amendment: Page 1, lines 2 through 12 as division S—3092A; page 1, lines 13 through 38 as division S—3092B; page 1, lines 39 through 50 and page 2 as division S—3092C.

Senator Husak moved the adoption of division S—3092A.

A record roll call was requested.

On the question "Shall division S—3092A be adopted?" (S.F. 123) the vote was:

Ayes, 29:

Anderson	Baugher	Briles	Brown
Carr	Coleman	Dreeszen	Gallagher
Gratias	Hester	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Rodgers	Schwengels	Slater	Taylor
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 21:

Bisenius	Carney	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Gentleman	Goodwin	Holden	Hulse
Kudart	Lura	Murray	Priebe
Ramsey	Readinger	Rush	Small
Tieden			

Division S—3092A was adopted.

Senator Husak moved the adoption of division S—3092B, which motion prevailed by a voice vote.

Senator Priebe offered amendment S—3340, filed by him from the floor to division S—3092C and moved its adoption.

Amendment S—3340 was adopted by a voice vote.

Senator Husak moved the adoption of division S—3092C as amended, which motion prevailed by a voice vote.

Senator Rush offered amendment S—3218 filed by him on March 18, 1981, to page 2 of the bill and moved its adoption.

Amendment S—3218 was adopted by a voice vote.

Senator Holden withdrew amendment S—3028 filed by him on January 28, 1981, to page 4 of the bill.

Senator Holden offered amendment S—3332 filed by him on April 1, 1981, to page 4 of the bill and moved its adoption.

Amendment S—3332 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 123) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Doyle	Drake
Dreeszen	Gallagher	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lura	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Schwengels	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 8:

DeKoster	Deluhery	Gentleman	Kudart
Murray	Ramsey	Rush	Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 484.

Senate File 484

On motion of Senator Schwengels, Senate File 484, a bill for an act allowing a licensing board to request an audit of a continuing education program, was taken up for consideration.

Senator Hultman offered amendment S—3343 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3343 was adopted by a voice vote.

Senator Schwengels moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 484) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Craft Ramsey

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 482

On motion of Senator Jensen, Senate File 482, a bill for an act providing for compensation to owners of advertising devices and lessors of property upon which advertising devices are located when the advertising device is removed or taken by the state or a political subdivision of the state, was taken up for consideration.

Action on **Senate File 482** was deferred for preparation of an amendment.

Senate File 507

On motion of Senator Holden, Senate File 507, a bill for an act permitting cities to issue and sell pledge orders to refund revenue bonds, pledge orders, and other obligations, and taking effect upon publication, was taken up for consideration.

Senator Comito asked and received unanimous consent that action on **Senate File 507** be deferred.

Senate File 469

On motion of Senator Gratias, Senate File 469, a bill for an act relating to tuition payments for attendance of certain Iowa pupils

in public schools outside the state, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 469) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 2:

Gallagher	Tieden
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Absent or not voting, 1:

Craft

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 459.

Senate File 459

On motion of Senator Waldstein, Senate File 459, a bill for an act relating to the continuing education requirement of assessors and deputy assessors, was taken up for consideration.

Senator Hester offered amendment S—3323 filed by him on April 1, 1981, to pages 1 and 2 of the bill.

Senator Waldstein offered amendment S—3346 filed by him from the floor to amendment S—3323.

Senator Rodgers asked unanimous consent that Senate File 459 be referred to the committee on Ways and Means.

Objection was raised by Senator Schwengels.

Senator Gallagher moved that Senate File 459 be referred to the committee on Ways and Means.

Senator Gallagher withdrew his motion.

Senator Hultman asked and received unanimous consent that action on **Senate File 459**, amendment S—3323 and amendment S—3346 to amendment S—3323 be **deferred**.

BUSINESS PENDING

Senate File 507

The Senate resumed consideration of Senate File 507, previously deferred.

Senator Comito offered amendment S—3351 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3351 be adopted?" (S.F. 507) the vote was:

Ayes, 16:

Baughner	Bisenius	Comito	Drake
Gallagher	Gratias	Hultman	Jensen
Lura	Miller, C.P.	Palmer	Priebe
Ramsey	Taylor	Vande Hoef	Waldstein

Nays, 26:

Anderson	Brown	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Dreeszen	Goodwin	Hester	Holden
Hulse	Husak	Hutchins	Junkins
Kinley	Kudart	Miller, A.V.	Murray
Readinger	Rush	Slater	Small
Van Gilst	Yenger		

Absent or not voting, 8:

Briles	Carney	Gentleman	Nystrom
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Rodgers Schwengels Tieden Wells

Amendment S—3351 lost.

Senator Comito withdrew amendment S—3348 filed by him from the floor to page 1 of the bill.

Senator Readinger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 507) the vote was:

Ayes, 40:

Anderson	Baughner	Bisenius	Brown
Carr	Coleman	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Palmer	Priebe	Ramsey
Readinger	Rush	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Yenger

Nays, 2:

Comito Slater

Absent or not voting, 8:

Briles	Carney	Hutchins	Nystrom
Rodgers	Schwengels	Taylor	Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 469** be immediately messaged to the House.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:11 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

Senator Carney took the chair at 1:35 p.m.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILLS
(Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 530.

Senate File 530

On motion of Senator Lura, Senate File 530, a bill for an act relating to investments authorized for moneys in the Iowa public employees' retirement fund, was taken up for consideration.

Senator Nystrom asked unanimous consent that action on Senate File 530 be deferred.

Objection was raised by Senator Junkins.

Senator Junkins withdrew his objection and **Senate File 530 was deferred.**

President Branstad took the chair at 1:45 p.m.

Senator Hultman asked and received unanimous consent to take up for consideration Senate File 259.

Senate File 259

On motion of Senator Coleman, Senate File 259, a bill for an act to increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 259** be **deferred**.

Senate File 394

On motion of Senator Schwengels, Senate File 394, a bill for an act increasing corporate and uniform commercial code filing fees, was taken up for consideration.

Senator Small offered amendment S—3349 filed by Senators Small and Nystrom from the floor to page 10 of the bill and moved its adoption.

Amendment S—3349 was adopted by a voice vote.

Senator Schwengels moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 394) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Baughner	Bisenius	Briles	Brown
Carney	Comito	Craft	DeKoster
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Hulse	Hultman
Jensen	Kudart	Murray	Nystrom
Ramsey	Readinger	Rush	Schwengels
Small	Taylor	Tiedens	Vande Hoef
Waldstein	Yenger		

Nays, 18:

Anderson	Carr	Coleman	Deluhery
Doyle	Holden	Hutchins	Junkins
Kinley	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Van Gilst	Wells		

Absent or not voting, 2:

Gallagher	Husak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 479

On motion of Senator Dreeszen, Senate File 479, a bill for an act relating to the state entomologist, including fees for certificates of inspection, and assessment of costs, was taken up for consideration.

Senator Dreeszen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 479) the vote was:

Ayes, 27:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Hulse	Hultman	Miller, A.V.
Murray	Nystrom	Ramsey	Readinger
Schwegels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Yenger	

Nays, 20:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Holden	Hutchins
Junkins	Kinley	Kudart	Lura
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Van Gilst	Wells

Absent or not voting, 3:

Gallagher	Husak	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Files 394 and 479** be immediately messaged to the House.

CONSIDERATION OF BILLS
(Steering Calendar)

Senate File 514

On motion of Senator Ramsey, Senate File 514, a bill for an act relating to the operation of a motor vehicle, and providing penalties, was taken up for consideration.

Senator Carney took the chair at 2:35 p.m.

Senator Rush offered amendment S—3360 filed by Senators Rush and Kudart from the floor to page 2 of the bill.

President Branstad took the chair at 2:57 p.m.

Senator Briles asked unanimous consent that action on Senate File 514 and amendment S—3360 be deferred.

Objection was raised by Senator Ramsey.

Senator Rush moved the adoption of amendment S—3360.

A record roll call was requested.

On the question “Shall amendment S—3360 be adopted?” (S.F. 514) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Anderson	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Gallagher
Holden	Junkins	Kinley	Kudart
Miller, A.V.	Miller, C.P.	Murray	Palmer
Priebe	Readinger	Rodgers	Rush
Slater	Small	Wells	

Nays, 26:

Baughner	Bisenius	Briles	Brown
Carney	Craft	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Hutchins	Jensen
Lura	Nystrom	Ramsey	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Yenger		

Absent or not voting, 1:

Husak

Amendment S—3360 lost.

Senator Comito offered amendment S—3361 filed by Senators Comito and Ramsey from the floor to page 2 of the bill and moved its adoption.

Amendment S—3361 was adopted by a voice vote.

Senator Rush offered amendment S—3362 filed by him from the floor to pages 2 and 3 of the bill.

Senator Rush asked and received unanimous consent that action on amendment S—3362 be deferred.

Senator Baugher offered amendment S—3341 filed by Senators Baugher, et al., from the floor to pages 3 and 4 of the bill.

Senator Rush withdrew amendment S—3363 filed by him from the floor to amendment S—3341.

Senator Baugher moved the adoption of amendment S—3341.

A non record roll call was requested.

The ayes were 18, nays 30.

Amendment S—3341 lost.

Senator Rush withdrew amendment S—3364 filed by him from the floor to pages 2 and 3 of the bill.

Senator Rush offered amendment S—3367 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3367 be adopted?" (S.F. 514) the vote was:

Ayes, 20:

Anderson	Briles	Carr	Coleman
Deluhery	Doyle	Gallagher	Hutchins
Junkins	Kinley	Kudart	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Wells

Nays, 28:

Baugher	Bisenius	Brown	Carney
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Comito	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Lura	Murray	Nystrom	Ramsey
Readinger	Schwengels	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Yenger

Absent or not voting, 2:

Craft	Husak
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Amendment S—3367 lost.

The Chair ruled amendment S—3362 by Senator Rush to pages 2 and 3 of the bill, previously deferred, out of order.

Senator Lura withdrew amendment S—3365 filed by him from the floor to page 3 of the bill.

Senator Carr asked unanimous consent that action on Senate File 514 be deferred.

Senator Carr withdrew his request.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 514) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Comito
Craft	DeKoster	Deluhery	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Priebe	Ramsey	Readinger
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 9:

Coleman	Doyle	Gallagher	Kinley
Miller, C.P.	Palmer	Rodgers	Rush
Slater			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 514 passed the Senate on April 2, 1981.

JAMES E. BRILES

MR. PRESIDENT: I move to reconsider the vote by which Senate File 514 passed the Senate on April 2, 1981.

BOB CARR

APPENDIX**STUDY BILLS RECEIVED****S.S.B. 392 Ways and Means**

Relating to the fees and charges that are payable by persons regulated by the department of insurance, and providing for the establishment of the respective amounts of fees and charges by administrative rule, to take effect on or after January 1 following enactment.

S.S.B. 393 Ways and Means

Relating to the taxable status of property acquired in connection with the establishment, improvement, and maintenance of a public road and the collection of property taxes on the property.

S.S.B. 394 Ways and Means

Relating to the homestead credit and military credit by providing that a claim be filed only once and the credit will continue for subsequent years provided the claimant is still qualified.

S.S.B. 395 Appropriations

Making a supplemental appropriation to the department of social services for the fiscal year ending June 30, 1981, for operation of the adult correctional institutions.

S.S.B. 396 Appropriations

Making a supplemental appropriation to the department of social services for the fiscal year ending June 30, 1981, for the aid to dependent children program, field operations, and operation of the adult correctional institutions.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 58, I hereby request that the name of Daniel E. Cahill be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar.

JOE BROWN

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND
LAW ENFORCEMENT

Convened: April 1, 1981, 8:45 a.m.

Members Present: Bisenius, Chairperson; Coleman, Ranking Member; Drake and Holden.

Members Absent: Anderson.

Final Vote: Ayes, 4: Bisenius, Coleman, Drake and Holden. Nays, none. Absent or not voting, 1: Anderson.

Other Committee Business: Subcommittee amended, approved and submitted SSB 391 to the full Appropriations committee.

Adjourned: 9:05 a.m.

RULES AND ADMINISTRATION

Convened: April 2, 1981, 8:35 a.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Kinley, Ranking Member; Junkins and Holden.

Members Absent: Ramsey.

Final Bill Action: House Concurrent Resolution 8, a resolution directing the Governor to designate March 21 of each year as Bird Day.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 5: Hultman, Hulse, Holden, Junkins and Kinley, Nays, none. Absent or not voting, 1: Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House Concurrent Resolution 16, a resolution for a joint convention of the General Assembly to be held on April 22, 1981 for the Pioneer Lawmaker's program.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hultman, Hulse, Holden, Junkins and Kinley. Nays, none. Absent or not voting, 1: Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 9:00 a.m.

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. F.	540	State Government
H.F.	462	County Government
H.F.	757	Cities
H.F.	771	Commerce

PRESENTATION OF VISITORS

President Branstad welcomed the Honorable Ralph McCartney, former member of the House and Senate from Floyd County, who was present in the Senate chamber.

Six students from Iowa Braille and Sight Saving School, Vinton, Iowa, accompanied by Mary Beth Young. Senator Gallagher.

Six students from Heelan High School, Sioux City, Iowa, accompanied by Joe Sullivan. Senators Carney and Doyle.

AMENDMENTS FILED

S—3336	S. F.	474	Bob Rush
S—3337	S. F.	474	Bob Rush
S—3338	S. F.	474	Bob Rush
S—3339	S. F.	493	Lucas J. DeKoster Dick Ramsey
S—3340	S. F.	123	Berl E. Priebe
S—3341	S. F.	514	Gary L. Baugher Edgar H. Holden Elvie Dreeszen Ray Taylor Richard Vande Hoef John W. Jensen
S—3342	S. F.	528	Dick Ramsey
S—3343	S. F.	484	Calvin O. Hultman
S—3344	S. F.	509	William D. Palmer Rolf V. Craft
S—3345	S. F.	482	Arthur A. Small, Jr.
S—3346	S. F.	459	Arne Waldstein

S—3347	S. F.	509	Bob Carr
S—3348	S. F.	507	Richard Comito
S—3349	S. F.	394	Arthur A. Small, Jr. John N. Nystrom
S—3350	S. F.	459	Arne Waldstein
S—3351	S. F.	507	Richard Comito
S—3352	S. F.	506	Alvin V. Miller
S—3353	S. F.	474	A.R. (Bud) Kudart
S—3354	S. F.	539	Bob Rush
S—3355	S. F.	459	C.W. Bill Hutchins
S—3356	S. F.	509	Bob Carr
S—3357	S. F.	508	Richard Comito John W. Jensen
S—3358	S. F.	487	Dick Ramsey Richard F. Drake
S—3359	S. F.	539	Bob Rush
S—3360	S. F.	514	Bob Rush A.R. (Bud) Kudart
S—3361	S. F.	514	Richard Comito Dick Ramsey
S—3362	S. F.	514	Bob Rush
S—3363	S. F.	514	Bob Rush
S—3364	S. F.	514	Bob Rush
S—3365	S. F.	514	Mick Lura
S—3366	S. F.	531	Dale L. Tieden
S—3367	S. F.	514	Bob Rush
S—3368	S. F.	24	Arthur A. Small, Jr. Edgar H. Holden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Friday, April 3, 1981.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 3, 1981

The Senate met in regular session at 9:05 a.m., Senator Carney presiding.

Prayer was offered by the Reverend James Harmon, pastor of the Disciples of Christ Christian Church, Estherville, Iowa.

The Journal of Thursday, April 2, 1981, was approved.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 292, a bill for an act providing that domestic fire and casualty insurers may engage in certain options transactions.

ALSO: That the House has on April 1, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 588, a bill for an act relating to the collection by lenders of certain fees from persons other than sellers and borrowers in connection with certain real property purchase-money loans.

ALSO: That the House has on April 1, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 632, a bill for an act to require a permit for drilling operations for metallic minerals exploration.

ALSO: That the House has on April 1, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 643, a bill for an act relating to strategy discussions by a governmental body in negotiating with employees of the governmental body who are not under a collective bargaining agreement.

ALSO: That the House has on April 1, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 750, a bill for an act relating to the Iowa beef industry council.

ALSO: That the House has on April 2, 1981, passed (with amendment H—3331 to page 1 adopted) the following bill in which the concurrence of the Senate is asked:

House File 766, a bill for an act relating to access to and use of solar energy.

ALSO: That the House has on April 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 767, a bill for an act relating to the satisfaction of debts owed to the holders of mechanic's liens.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 292, a bill for an act providing that domestic fire and casualty insurers may engaged in certain options transactions.

Read first time and **passed on file**.

House File 588, a bill for an act relating to the collection by lenders of certain fees from persons other than sellers and borrowers in connection with certain real property purchase-money loans.

Read first time and **passed on file**.

House File 632, a bill for an act to require a permit for drilling operations for metallic minerals exploration.

Read first time and **passed on file**.

House File 643, a bill for an act relating to strategy discussions by a governmental body in negotiating with employees of the governmental body who are not under a collective bargaining agreement.

Read first time and **passed on file**.

House File 750, a bill for an act relating to the Iowa beef industry council.

Read first time and **passed on file**.

House File 766, a bill for an act relating to access to and use of solar energy.

Read first time and **passed on file**.

House File 767, a bill for an act relating to the satisfaction of debts owed to the holders of mechanic's liens, and providing that the lien of a subcontractor is not enforceable against an owner-occupied dwelling except to the extent of the amount owed to the principal contractor at the time the subcontractor serves a written notice of the claim on the owner, and providing that a subcontractor may be awarded exemplary damages from the principal contractor.

Read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Baugher for the day on request of Senator Hultman.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 531.

Senate File 531

On motion of Senator Taylor, Senate File 531, a bill for an act relating to pipelines, was taken up for consideration.

President Branstad took the chair at 9:25 a.m.

Senator Tieden offered amendment S—3366 filed by him on April 2, 1981, to pages 1 and 5 of the bill and moved its adoption.

Amendment S—3366 was adopted by a voice vote.

Senator Taylor offered amendment S—3370 filed by Senators Taylor, et al., from the floor to pages 1, 2, 5, 6 and 7 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Anderson for the day on request of Senator Junkins.

BUSINESS PENDING

Senate File 531

The Senate resumed consideration of Senate File 531 and amendment S—3370, offered and pending.

Senator Waldstein offered amendment S—3371 filed by Senators Waldstein and Priebe from the floor to amendment S—3370 and moved its adoption.

Amendment S—3371 was adopted by a voice vote.

Senator Priebe called for a division of amendment S—3370 as amended:

Division S—3370A: page 1, lines 2 through 5.

Division S—3370B: page 1, lines 6 through 12.

Division S—3370C: page 1, line 13.

Division S—3370D: page 1, lines 14 through 37.

Division S—3370E: page 1, lines 38 through 47.

Division S—3370F: page 1, lines 48 through 50 and page 2, lines 1 through 17.

Division S—3370G: page 2, lines 18 and 19.

Action on division S—3370A was deferred.

Senator Taylor moved the adoption of division S—3370B, which motion prevailed by a voice vote.

Senator Taylor moved the adoption of division S—3370C.

A record roll call was requested.

On the question "Shall division S—3370C be adopted?" (S.F. 531) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Carney	Comito	Drake	Dreeszen
Goodwin	Hester	Hulse	Hultman
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Nystrom	Ramsey	Slater
Small	Taylor	Vande Hoef	Van Gilst
Waldstein	Yenger		

Nays, 23:

Bisenius	Briles	Brown	Carr
Coleman	Craft	Deluhery	Doyle
Gallagher	Gratias	Holden	Husak
Hutchins	Kinley	Murray	Palmer
Priebe	Readinger	Rodgers	Rush
Schwengels	Tieden	Wells	

Absent or not voting, 5:

Anderson	Baughner	DeKoster	Gentleman
Miller, C.P.			

Division S—3370C lost.

Senator Priebe asked and received unanimous consent that action on division S—3370D be deferred.

Senator Taylor moved the adoption of division S—3370E, which motion prevailed by a voice vote.

Senator Taylor moved the adoption of division S—3370F as amended, which motion prevailed by a voice vote.

Senator Taylor moved the adoption of division S—3370G, which motion prevailed by a voice vote.

The Senate resumed consideration of division S—3370A, previously deferred.

Senator Ramsey withdrew amendment S—3372 filed by him from the floor to division S—3370A.

Senator Ramsey offered amendment S—3373 filed by him from the floor to division S—3370A and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 23.

The Chair voted "nay" to break the tie and amendment S—3373 lost.

Senator Taylor moved the adoption of division S—3370A, which motion prevailed by a voice vote.

The Senate resumed consideration of division S—3370D, previously deferred.

Senator Waldstein offered amendment S—3376 filed by Senators Waldstein, et al., from the floor to division S—3370D and moved its adoption.

Amendment S—3376 was adopted by a voice vote.

Senator Taylor moved the adoption of division S—3370D as amended, which motion prevailed by a voice vote.

Senator Taylor offered amendment S—3369 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—3369 was adopted by a voice vote.

Senator Holden filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I moved to reconsider the vote by which division S—3370C to Senate File 531 failed to be adopted by the Senate on April 3, 1981.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 531) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Briles	Carney	Comito	DeKoster
Drake	Dreeszen	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Junkins	Lura	Miller, A.V.	Murray
Nystrom	Ramsey	Readinger	Rush
Taylor	Vande Hoef	Van Gilst	

Nays, 24:

Bisenius	Brown	Carr	Coleman
Craft	Deluhery	Doyle	Gallagher
Husak	Hutchins	Jensen	Kinley
Kudart	Miller, C.P.	Palmer	Priebe
Rodgers	Schwengels	Slater	Small
Tieden	Waldstein	Wells	Yenger

Absent or not voting, 3:

Anderson	Baugher	Gratias
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The motion lost.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 531) the vote was:

Ayes, 45:

Bisenius	Briles	Carney	Carr
Coleman	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 1:

Comito

Absent or not voting, 4:

Anderson	Baugher	Brown	Gratias
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I moved to reconsider the vote by which Senate File 531

passed the Senate on April 3, 1981.

LOWELL L. JUNKINS

MR. PRESIDENT: I moved to reconsider the vote by which Senate File 531 passed the Senate on April 3, 1981.

RAY TAYLOR

CONSIDERATION OF BILL
(Steering Calendar)

Senate File 528

On motion of Senator Ramsey, Senate File 528, a bill for an act concerning certain criminal procedures relating to notice of seized property, nontestimonial identification, trial by jury, and deferred judgments, deferred sentences and suspended sentences, was taken up for consideration.

Senator Carney took the chair at 11:45 a.m.

President Branstad took the chair at 11:55 a.m.

Senator Rush offered amendment S—3378 filed by him from the floor to pages 1 and 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 16.

Amendment S—3378 was adopted.

With the adoption of amendment S—3378, the Chair ruled amendment S—3342 filed by Senator Ramsey on April 2, 1981, to pages 1 and 2 of the bill, out of order.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 528) the vote was:

Ayes, 45:

Bisenius
Coleman

Brown
Comito

Carney
Craft

Carr
DeKoster

Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Anderson	Baughner	Briles	Gratias
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent that **Senate File 528** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 541, by Gentleman, a bill for an act relating to the filing of a claim for the homestead credit and military service tax exemption only once and providing that the credit or exemption will be granted without refiling a claim for as long as the person owns the property designated for the credit or exemption.

Read first time and **passed on file**.

Senate File 542, by Committee on Appropriations, a bill for an act making a supplemental appropriation to the department of social services for the fiscal year ending June 30, 1981, for the aid to dependent children program, field operations, and operation of the adult correctional institutions.

Read first time and **placed on calendar**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE CONCURRENT RESOLUTION 14

Rules and Administration
Holden, Chairperson
Ramsey
Junkins

SENATE FILE 154

Judiciary
Kudart, Chairperson
Rush
Baughner

SENATE FILE 461

Commerce
Jensen, Chairperson
Craft
Husak

SENATE FILE 497

Commerce
Holden, Chairperson
DeKoster
Husak

HOUSE FILE 441

Judiciary
Kudart, Chairperson
Ramsey
Deluhery

HOUSE FILE 751

Judiciary
Doyle, Chairperson
Baughner
Small

HOUSE CONCURRENT RESOLUTION 22

Rules and Administration
Hultman, Chairperson
Junkins
Holden

SENATE CONCURRENT RESOLUTION 15

Rules and Administration
Hultman, Chairperson
Junkins
Holden

SENATE FILE 415

Appropriations
Ramsey, Chairperson
Hultman
Palmer

SENATE FILE 496

Appropriations
Appropriations Subcommittee
on State Government

SENATE FILE 516

Judiciary
Murray, Chairperson
Small
Doyle

HOUSE FILE 641

Human Resources
Hulse, Chairperson
Carr
Slater

HOUSE CONCURRENT RESOLUTION 16

Rules and Administration
Junkins, Chairperson
Hultman
Kinley

SSB 369

County Government
C. Miller, Chairperson
Wells
Yenger

SSB 370

County Government
 Waldstein, Chairperson
 Goodwin -
 C. Miller

SSB 387

Judiciary
 Ramsey, Chairperson
 DeKoster
 Doyle
 Murray
 Rush

SSB 389

Judiciary
 Ramsey, Chairperson
 DeKoster
 Doyle
 Murray
 Rush

SSB 378

Ways and Means
 Van Gilst, Chairperson
 Lura
 Hester

SSB 388

Judiciary
 Ramsey, Chairperson
 Doyle
 Rush
 DeKoster
 Murray

SSB 390

Judiciary
 Ramsey, Chairperson
 Rush
 DeKoster
 Doyle
 Murray

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

S.F. 492
 S.F. 490
 S.F. 524
 S.F. 485
 S.F. 321
 S.F. 508
 S.F. 491
 S.F. 532
 S.F. 521

CALVIN O. HULTMAN, Chairperson

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 3, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 152—Providing that manufacturers and nonresident vendors shall not sell pilot lights commencing two years after the Commerce Commission has certified an alternative ignition device for a gas appliance.

H.F. 47—Relating to the contents of a permit or license application.

H.F. 160—To repeal the requirement that the Board of Accountancy publish a register of all registered and licensed practitioners and mail a copy to each of them.

REPORTS OF INVESTIGATING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Appropriations assigned to investigate the character and qualifications of Margaret Anderson, Bettendorf, Scott County, Iowa, for appointment as a member of the State Board of Regents under the provisions of Section 262.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON APPROPRIATIONS
JOHN S. MURRAY, Chairperson

Pursuant to Senate Rule 58, the Committee on Appropriations assigned to investigate the character and qualifications of John C. McDonald, Dallas Center, Dallas County, Iowa, for appointment as a member of the State Board of Regents under the provisions of Section 262.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON APPROPRIATIONS
JOHN S. MURRAY, Chairperson

Pursuant to Senate Rule 58, the Committee on Appropriations assigned to investigate the character and qualifications of June Murphy, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Regents under the provisions of Section 262.3, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON APPROPRIATIONS
JOHN S. MURRAY, Chairperson

Pursuant to Senate Rule 58, the Committee on Appropriations assigned to investigate the character and qualifications of Fred W. Nolting, Waterloo, Black Hawk County, Iowa, for appointment as a member of the State Board of Regents under the provisions of Section 262.3, 1981 Code of Iowa, for the unexpired portion of a term ending April 30, 1983, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON APPROPRIATIONS
JOHN S. MURRAY, Chairperson

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: April 2, 1981, 8:00 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster, Deluhery and Gentleman.

Members Absent: none.

Other Committee Business: Subcommittee approved and submitted SSB 395 to the full Appropriations committee.

Adjourned: 9:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: April 2, 1981, 8:20 a.m.

Members Present: Schwengels, Chairperson; Carr, Ranking Member; Taylor, Lura and Wells.

Members Absent: none.

Other Committee Business: Approved committee bill.

Adjourned: 8:50 a.m.

APPROPRIATIONS

Convened: April 3, 1981, 8:15 a.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius (arrived 8:25 a.m.), Carney, Deluhery, Hultman, Jensen, Ramsey (arrived 8:20 a.m.), Rush (arrived 8:20 a.m.), Schwengels (arrived 8:20 a.m.), Slater, Small, Van Gilst, Waldstein and Yenger.

Members Absent: Junkins.

Final Bill Action: Senate File 542, a bill for an act making a supplemental appropriation to the department of social services for the fiscal year ending June 30, 1981, for the aid to dependent children program, field operations, and operation of the adult correctional institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Murray, Tieden, Baugher, Bisenius, Carney, Hultman, Jensen, Ramsey, Schwengels, Waldstein and Yenger. Nays, 7: Palmer, Anderson, Deluhery, Rush, Slater, Small and Van Gilst. Absent or not voting, 1: Junkins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Recommended confirmation on Regents appointees; SSB 302 and SSB 303 combined into one bill to be acted upon at next meeting.

Adjourned: 9:00 a.m.

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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 3rd day of April, 1981.

Senate Files 148, 159 and 251.

LINDA HOWARTH MACKAY
Secretary of the Senate

BILL ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bill to committee:

H.F. 759 Cities

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty students from Horizon Alternative School, Centerville, Iowa, accompanied by Mike Halupnick. Senator Ramsey.

Ninety students from Lincoln High School, Des Moines, Iowa, accompanied by Jerald E. Hickey. Senator Kinley.

AMENDMENTS FILED

S—3369 S. F. 531 Ray Taylor

S—3370	S. F.	531	Ray Taylor Elvie Dreeszen Alvin V. Miller C.W. Bill Hutchins Richard Vande Hoef Emil Husak Jack W. Hester Merlin D. Hulse Arne Waldstein Bass Van Gilst
S—3371	S. F.	531	Arne Waldstein Berl E. Priebe
S—3372	S. F.	531	Dick Ramsey
S—3373	S. F.	531	Dick Ramsey
S—3374	S. F.	24	Arthur A. Small, Jr.
S—3375	S. F.	440	Richard F. Drake
S—3376	S. F.	531	Arne Waldstein Berl E. Priebe Jack W. Hester Merlin D. Hulse
S—3377	S. F.	509	Bob Carr
S—3378	S. F.	528	Bob Rush
S—3379	S. F.	521	Sue Yenger Tom Slater

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 12:10 p.m., until 10:00 a.m., Monday, April 6, 1981.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 6, 1981

The Senate met in regular session at 10:08 a.m., President Branstad presiding.

Prayer was offered by the Reverend Carl R. Sodeberg, pastor of the First Presbyterian Church, Paulina, Iowa.

The Journal of Friday, April 3, 1981, was approved.

PAGES PRESENTATION

The Senate Pages and Eddie Mauro, representing the House Pages, appeared in the well of the Senate and Senate Page Becki Spees presented a check in the amount of \$2,356.00 to Ed Strackey, a representative of Camp Sunnyside. The check was a donation by the Pages for proceeds received from the annual Pages Ball held March 19, 1981.

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, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 747, a bill for an act relating to determining whether a guilty plea is made voluntarily, intelligently, and has a factual basis.

ALSO: That the House has on April 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 754, a bill for an act relating to motor vehicle reports and records.

ALSO: That the House has on April 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 762, a bill for an act relating to inspections of state and local correctional facilities and the state juvenile facilities.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 747, a bill for an act relating to determining whether a guilty plea is made voluntarily, intelligently, and has a factual basis.

Read first time and **passed on file**.

House File 754, a bill for an act relating to motor vehicle reports and records.

Read first time and **passed on file**.

House File 762, a bill for an act relating to inspections of state and local correctional facilities and the state juvenile facilities.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

SENATE RESOLUTION 12

By: Hultman and DeKoster

1 *Whereas*, the court study committee has been deeply
 2 involved with studying the structure and administration
 3 of Iowa's court system in response to a request by Chief
 4 Justice Reynoldson given in a State of the Judiciary
 5 message to the Sixty-eighth General Assembly; and
 6 *Whereas*, the committee did not have adequate time to
 7 review in detail the voluminous amount of research
 8 prepared for it and may desire further research in
 9 certain areas particularly in regard to those recommenda-
 10 tions which require procedural changes without cost as
 11 compared to those recommendations that would require
 12 additional expenditures; and
 13 *Whereas*, in order to complete its study and make
 14 determinations and recommendations that will provide the
 15 general assembly and personnel within the court system
 16 with clear directions and determinations based upon cost
 17 appraisals more time is required; *Now Therefore*,
 18 *Be It Resolved by the Senate*, That the Legislative
 19 Council is requested to approve the continuation of the
 20 court study committee by appointing and reappointing
 21 members to the study committee and requesting the study
 22 committee to give its attention to those recommendations
 23 which are noncost items and those which are cost items
 24 and determining what sources of revenue might be avail-
 25 able to carry out the cost items and what must be done
 26 to carry out the noncost items; and

27 *Be It Further Resolved*, That a report of the study
 28 committee be prepared and be submitted to the Legislative
 29 Council and the members of the General Assembly meeting
 30 in the year 1982.

Read first time and **passed on file**.

CONSIDERATION OF BILL
(Steering Calendar)

Senate File 474

On motion of Senator Murray, Senate File 474, a bill for an act relating to the tort liability of governmental subdivisions, was taken up for consideration.

Senator Jensen withdrew amendment S—3272 filed by him on March 31, 1981, to page 1 of the bill.

Senator Coleman offered amendment S—3330 filed by him on April 1, 1981, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3330 be adopted?" (S.F. 474) the vote was:

Ayes, 15:

Anderson	Bisenius	Brown	Carr
Coleman	Doyle	Gallagher	Hulse
Husak	Junkins	Kudart	Priebe
Rodgers	Rush	Van Gilst	

Nays, 33:

Baugher	Briles	Carney	Comito
Craft	DeKoster	Deluhery	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hultman	Hutchins
Jensen	Kinley	Lura	Miller, A.V.
Murray	Nystrom	Palmer	Readinger
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Yenger			

Absent or not voting, 2:

Miller, C.P.	Ramsey
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Amendment S—3330 lost.

Senator Rush offered amendment S—3337 filed by him on April 2, 1981, to pages 1 through 3 of the bill.

Senator Murray called for a division of the amendment: lines 2 through 10 as division S—3337A; lines 11 and 12 as division S—3337B.

Senator Rush moved the adoption of division S—3337A, which motion prevailed by a voice vote.

Senator Rush moved the adoption of division S—3337B.

A non record roll call was requested.

The ayes were 17, nays 31.

Division S—3337B lost.

Senator Rush offered amendment S—3338 filed by him on April 2, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3338 lost by a voice vote.

(Senate File 474 pending on recess.)

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 531

Senator Junkins withdrew the motion to reconsider Senate File 531, a bill for an act relating to pipelines, filed by him on April 3, 1981, and found on pages 1100-1101 of the Senate Journal.

Senator Taylor withdrew the motion to reconsider Senate File 531, filed by him on April 3, 1981, and found on page 1101 of the Senate Journal.

Senate File 395

Senator Small withdrew the motion to reconsider Senate File 395, a bill for an act to require that reports of induced terminations of pregnancies be filed with the state department of health, filed by him on March 31, 1981, and found on page 1040 of the Senate Journal.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:08 p.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF BILL

Senate File 543, by Taylor, Craft and Baugher, a bill for an act relating to the designation of areas of the state as enterprise zones to encourage development, growth, expansion, and investment by nongovernmental entities, and providing for property tax exemptions for real property located within an enterprise zone.

Read first time and **passed on file**.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 48 present, 2 absent and a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 58, Senator Hultman asked and received unanimous consent to take up the following appointees on the En Bloc Confirmation Calendar:

State Transportation Commission, found on page 870 of the Senate Journal:

Dennis W. Voy
Darrel Rensink

Iowa Natural Resources Council:

E. Eileen Heiden, found on page 885 of the Senate Journal.
Edwin Augustine, found on page 885 of the Senate Journal.
John P. Whitesell, found on pages 885-886 of the Senate Journal.
Gene Wiese, found on page 932 of the Senate Journal.

State Board of Mortuary Science Examiners, found on page 886 of the Senate Journal:

Lynda E. Schuler

State Board of Medical Examiners, found on page 886 of the Senate Journal:

Marlene Ann Wager, D.O.

Merit Employment Commission, found on page 886 of the Senate Journal:

Elizabeth Burmeister
Walter Roettger

State Board of Psychology Examiners, found on page 886 of the Senate Journal:

Darrel Dierks

State Judicial Nominating Commission, found on page 886 of the Senate Journal:

Bonetta Jean Culp
Jan Christensen

State Board of Optometry Examiners, found on page 886 of the Senate Journal:

R.B. Tuberty, O.D.

Advisory Investment Board (IPERS), found on page 886 of the Senate Journal:

Eldon Meyers
Joseph B. Trecek, Jr.

State Conservation Commission, found on page 933 of the Senate Journal:

F. Richard Thornton
Baxter Freese
Marian Pike

Campaign Finance Disclosure Commission, found on pages 942-943 of the Senate Journal:

Carolyn Farrell

Iowa Housing Finance Authority, found on page 943 of the Senate Journal:

Neil Ronfeldt

Professional and Occupational Regulation Commission, found on page 943 of the Senate Journal:

Sheila Sidles
Russell Hyde

As Director of the Iowa Department of Substance Abuse, found on page 942 of the Senate Journal:

Gary P. Riedmann

State Health Facilities Council, found on page 942 of the Senate Journal:

Sara Wissing
Wendell R. Benson

Commission for the Blind, found on page 943 of the Senate Journal:

Arlene Dayhoff

Iowa Crime Commission, found on pages 976-977 of the Senate Journal:

Calvin Auger
Thomas E. Martin
William J. O'Brien

Iowa Board of Parole, found on page 976 of the Senate Journal:

William C. Cribbs
Richard F. Nazette

Iowa State Civil Rights Commission, found on page 977 of the Senate Journal:

Thomas P. McDonnell
Rachel Evans
Marguerite Cothorn
James L. Harmon

Soil Conservation Commission, found on page 1010 of the Senate Journal:

Jane LaVaun LaGrange

John Robert Miller

Senator Hultman moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The Chair declared the appointments confirmed.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Hultman called up the appointment of Forrest J. Mitchell as a member of the State Judicial Nominating Commission placed on the Individual Confirmation Calendar on March 24, 1981.

Senator Brown asked unanimous consent that action on the confirmation of Forrest J. Mitchell be deferred.

Objection was raised by Senator Comito.

Senator Comito withdrew his objection and the confirmation of Forrest J. Mitchell was **deferred** by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Hulse called up the Report of Investigating Committee for Kenneth Kassel as a member of the State Soil Conservation Commission, filed March 30, 1981, found on pages 1009-1010 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Hulse moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Yenger			

Nays, 5:

Brown	Hutchins	Miller, C.P.	Rodgers
Van Gilst			

The Chair declared the appointment confirmed.

Senator Hultman called up the appointment of Daniel E. Cahill as a member of the Iowa Beer and Liquor Control Council placed on the Individual Confirmation Calendar on April 2, 1981.

Senator Hultman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Baughner	Briles	Brown
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Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 1:

Bisenius

The Chair declared the appointment confirmed.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 521.

Senate File 521

On motion of Senator Taylor, Senate File 521, a bill for an act relating to requirements of school corporations including requirements relating to mathematics, English-language arts, and English language; the school year; school organization, officers, and employees; and school property, was taken up for consideration.

Senator Taylor offered amendment S—3405 filed by Senators Taylor, et al., from the floor to page 1 of the bill.

Senator Waldstein called for a division of the amendment: lines 2 through 22 as division S—3405A; lines 23 through 42 as division S—3405B.

Senator Taylor moved the adoption of division S—3405A.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 24, nays 22.

Division S—3405A was adopted.

(Senate File 521 and division S—3405B pending on adjournment.)

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 17

By: Committee on Rules and Administration

- 1 *Be It Resolved by the Senate, the House Concurring,*
- 2 *That when adjournment takes place on Thursday, April 16,*
- 3 *1981, the general assembly will reconvene on Tuesday,*
- 4 *April 21, 1981, at 10:00 a.m., in observance of Easter.*

Read first time and placed on calendar.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 123, the following technical corrections were made:

1. Amendment S—3332, page 1, line 26, the word “preceeding” was changed to “proceeding”.
2. Page 6, line 13, of Senate File 123, “section 8” was changed to “section 10”.

LINDA HOWARTH MACKAY
Secretary of the Senate

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber for a short time on April 3, 1981, when the final votes were taken on Senate Files 528 and 531.

Had I been present, I would have voted “aye” on these bills.

ARTHUR L. GRATIAS

COMMUNICATION FROM THE SECRETARY OF SENATE

April 6, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

I hereby certify that House File 232 was published in the Iowa Falls Citizen, Iowa Falls, Iowa, on April 1, 1981, and in the Ames Daily Tribune, Ames, Iowa, on March 18, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. F. 541 Ways and Means

H.F.	588	Commerce
H.F.	632	Natural Resources
H.F.	643	State Government
H.F.	766	Energy
H.F.	767	Judiciary

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3295 to Senate File 370 was adopted by the Senate on April 1, 1981.

MERLIN D. HULSE

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3087 to Senate File 271 was adopted by the Senate on February 25, 1981.

RICHARD VANDE HOEF

REPORT OF COMMITTEE

RULES AND ADMINISTRATION

Final Bill Action: Senate Concurrent Resolution 17, a resolution providing for an Easter recess of the General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hultman, Hulse, Holden, Kinley, Junkins and Ramsey. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 6, 1981, 3:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: Comito and Deluhery, Ranking Member (excused).

Final Bill Action: House File 509, a bill for an act limiting refunds of the state insurance retaliatory tax.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3394.

Final Vote: Ayes, 7: Holden, Baugher, Craft, DeKoster, Husak, Jensen and Rush. Nays, 1: Priebe. Absent or not voting, 2: Comito and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 559, a bill for an act relating to offenses and penalties under the Iowa unauthorized insurers Act and the insurance trade practices Act.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Holden, Baugher, Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:20 p.m.

HUMAN RESOURCES

Convened: April 6, 1981, 3:03 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson; C. Miller, Ranking Member; Carr, Coleman, Drake, Gratias, Hulse, Nystrom, Slater and Vande Hoef.

Members Absent: A. Miller.

Final Bill Action: House File 303, a bill for an act relating to the registration of group day care home providers.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gentleman, Yenger, C. Miller, Carr, Drake, Gratias, Nystrom, Slater and Vande Hoef. Nays, 1: Coleman. Absent or not voting, 2: Hulse and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Recommended confirmation of Governor's appointee Norman L. Pawlewski as Commissioner of Public Health; assigned House File 641 to subcommittee.

Adjourned: 3:19 p.m.

STATE GOVERNMENT

Convened: April 6, 1981, 1:35 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer (arrived 1:40 p.m.), Schwengels and Tieden.

Members Absent: none.

Final Bill Action: Senate File 370, a bill for an act reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, Hutchins, Palmer, Schwengels and Tieden. Nays, 1: Craft. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 471, a bill for an act relating to inspections of beauty salons and barber shops, effective upon publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3393.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer and Schwengels. Nays, 2: Craft and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 371, a bill for an act relating to the prohibition of open burning under certain conditions and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden, Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:50 p.m.

REPORT OF INVESTIGATING COMMITTEE
(Place Nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 58, the Committee on Human Resources assigned to investigate the character and qualifications of Norman L. Pawlewski, Des Moines, Polk County, Iowa for reappointment as Commissioner of Public Health under the provisions of Section 135.2, 1981 Code of Iowa, for a term beginning May 1, 1981, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON HUMAN RESOURCES
JULIA GENTLEMAN, Chairperson

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty students from Popejoy Elementary School, Popejoy, Iowa, accompanied by Janet Zesman. Senator Taylor.

Twenty-six students from St. John School, Bancroft, Iowa, accompanied by Mrs. Madalyn Summit. Senator Priebe.

Fifty students from Twin Rivers School, Livermore, Iowa. Senator Priebe.

PETITIONS

The following petitions were presented and placed on file by:

Senator Craft from seventy-two residents of Iowa favoring legislation limiting the amount of property taxes that can be raised annually to one percent of the actual value of the real property.

Senator Miller of Cerro Gordo from sixty-eight residents of Cerro Gordo, Hancock and Worth Counties opposing the three percent sales tax on manufacturing equipment and machinery.

AMENDMENTS FILED

S—3380	S. F.	476	Bob Carr James E. Briles
S—3381	S. F.	521	Rolf V. Craft
S—3382	S. F.	527	Ray Taylor
S—3383	S. F.	474	Dick Ramsey

S-3384	S. F.	474	Dick Ramsey
S-3385	S. F.	521	Ray Taylor
S-3386	S. F.	521	Ray Taylor
S-3387	S. F.	122	Donald V. Doyle Richard F. Drake
S-3388	S. F.	521	Arne Waldstein
S-3389	S. F.	82	Donald V. Doyle
S-3390	S. F.	521	Rolf V. Craft
S-3391	S. F.	521	Clarence S. Carney
S-3392	S. F.	521	Arthur L. Gratias
S-3393	S. F.	471	State Government Committee
S-3394	H.F.	509	Commerce Committee
S-3395	S. F.	521	Elvie Dreeszen
S-3396	S. F.	521	Arthur L. Gratias
S-3397	S. F.	521	Arthur L. Gratias
S-3398	S. F.	521	Arthur L. Gratias
S-3399	S. F.	521	Arthur L. Gratias
S-3400	S. F.	521	Arthur A. Small, Jr.
S-3401	S. F.	521	Arthur L. Gratias
S-3402	S. F.	521	Clarence S. Carney Joe Brown Julia Gentleman C.W. Bill Hutchins Alvin V. Miller Dale L. Tieden
S-3403	S. F.	521	Arne Waldstein John W. Jensen
S-3404	S. F.	521	Joe Brown
S-3405	S. F.	521	Ray Taylor Arthur L. Gratias Joe Brown Berl E. Priebe
S-3406	S. F.	521	Joe Brown
S-3407	S. F.	521	Berl E. Priebe Dale L. Tieden Edgar H. Holden
S-3408	S. F.	271	Richard Vande Hoef
S-3409	S. F.	116	Jack W. Hester
S-3410	S. F.	370	Julia Gentleman
S-3411	S. F.	506	Richard Vande Hoef
S-3412	S. F.	521	Arthur A. Small, Jr.

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Tuesday, April 7, 1981.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 7, 1981

The Senate met in regular session at 9:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Robert Hedges, pastor of the St. Timothy's Episcopal Church, West Des Moines, Iowa.

The Journal of Monday, April 6, 1981, was approved.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 745, a bill for an act for the legalization of the proceedings of the board of supervisors of Jones county relating to the sale of certain real estate.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 756, a bill for an act relating to the resident exemptions from the state motor vehicle licensing requirements.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 765, a bill for an act relating to the use of chapters 663 and 663A of the Code by persons convicted of, or sentenced for, a public offense.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 785, a bill for an act permitting a city and county to agree to the appointment of a special assistant county attorney to prosecute violations of chapter 728 on behalf of the city.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 787, a bill for an act to legalize the sale of certain property in Sioux City, Woodbury County, Iowa.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 790, a bill for an act relating to the time the lien for rates or charges for utility services attaches.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 745, a bill for an act for the legalization of the proceedings of the board of supervisors of Jones county relating to the sale of certain real estate.

Read first time and **passed on file**.

House File 756, a bill for an act relating to nonresident exemptions from the state motor vehicle licensing requirements.

Read first time and **passed on file**.

House File 765, a bill for an act relating to the use of chapters 663 and 663A of the Code by persons convicted of, or sentenced for, a public offense.

Read first time and **passed on file**.

House File 785, a bill for an act permitting a city and county to agree to the appointment of a special assistant county attorney to prosecute violations of chapter 728 on behalf of the city.

Read first time and **passed on file**.

House File 787, a bill for an act to legalize the sale of certain property in Sioux City, Woodbury County, Iowa.

Read first time and **passed on file**.

House File 790, a bill for an act relating to the time the lien for rates or charges for utility services attaches.

Read first time and **passed on file**.

UNFINISHED BUSINESS
(Deferred March 24, 1981)

Senate File 24

The Senate resumed consideration of Senate File 24, a bill for an act relating to the requirement that plans and specifications for new health care facilities and remodeling of or additions to existing health care facilities be submitted to the department of health for preliminary inspection and approval or recommendations, deferred on March 24, 1981.

Senator Small offered amendment S—3374 filed by him on April 3, 1981, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3374 was adopted by a voice vote.

Senator Small offered amendment S—3368 filed by Senators Small and Holden on April 2, 1981, to page 2 of the bill and moved its adoption.

Amendment S—3368 was adopted by a voice vote.

With the adoption of amendment S—3368, the Chair ruled amendment S—3252 filed by Senator Murray on March 25, 1981, to page 2 of the bill, out of order.

Senator Small withdrew amendment S—3234 filed by him on March 23, 1981, to page 2 of the bill.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 24) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin
Gratias	Hester	Holden	Hulse
Huktman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Priebe

Ramsey	Rodgers	Rush	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 3:

DeKoster	Gentleman	Readinger
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Absent or not voting, 3:

Kinley	Palmer	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTIONS TO RECONSIDER ADOPTED

Senator Priebe called up the motion to reconsider House File 293 filed by Senator Deluhery on March 20, 1981, found on pages 902-903 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 293) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 2:

Gentleman	Tieden
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Absent or not voting, 2:

Kinley	Palmer
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The motion prevailed.

Senator Priebe moved to reconsider the vote by which House File 293 went to its last reading, which motion prevailed by a voice vote.

House File 293

On motion of Senator Priebe, House File 293, a bill for an act creating a revolving farm fund for the department of social services, effective upon publication, was taken up for reconsideration.

Senator Priebe offered amendment S—3312 filed by him on April 1, 1981, to page 1 of the bill.

Senator DeKoster asked and received unanimous consent that action on **House File 293** and amendment S—3312 be **deferred**.

President pro tempore Ramsey took the chair at 9:40 a.m.

Senator Junkins called up the motion to reconsider Senate File 271 filed by him on February 26, 1981, found on page 590 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 271) the vote was:

Ayes, 37:

Anderson	Baugher	Bisenius	Brown
Carney	Carr	Coleman	Craft
Deluhery	Doyle	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Hulse	Hutchins	Junkins	Kinley
Kudart	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 10:

Comito	DeKoster	Hultman	Husak
Jensen	Lura	Ramsey	Small
Taylor	Tieden		

Absent or not voting, 3:

Briles	Gallagher	Holden
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The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 271 went to its last reading, which motion prevailed by a voice vote.

Senate File 271

On motion of Senator Junkins, Senate File 271, a bill for an act requiring the brand be recorded on the bill of sale for cattle sold through sale barns, stockyards, and packing plants and providing a penalty, was taken up for reconsideration.

Senator Junkins filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3087 to Senate File 271 was adopted by the Senate on February 25, 1981.

Senator VandeHoef withdrew the motion to reconsider the vote by which amendment S—3087 was adopted by the Senate on February 25, 1981, filed by him on April 6, 1981, and found on page 1121 of the Senate Journal.

Senator Junkins moved the adoption of the motion to reconsider.

A non record roll call was requested.

The ayes were 29, nays 15.

The motion prevailed and amendment S—3087 by Senator Ramsey to page 1 and the title page of the bill, was taken up for reconsideration.

Senator Vande Hoef offered amendment S—3408 filed by him on April 6, 1981, to amendment S—3087 and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 30.

Amendment S—3408 lost.

Senator Carney took the chair at 10:08 a.m.

Senator Ramsey moved the adoption of amendment S—3087 and requested a record roll call.

On the question "Shall amendment S—3087 be adopted?" (S.F. 271) the vote was:

Ayes, 30:

Anderson	Baughner	Bisenius	Briles
Carney	DeKoster	Drake	Dreeszen
Goodwin	Gratias	Holden	Hulse
Hultman	Hutchins	Junkins	Kinley
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Ramsey	Readinger
Schwengels	Small	Taylor	Tieden
Van Gilst	Waldstein		

Nays, 18:

Brown	Coleman	Comito	Craft
Deluhery	Doyle	Gentleman	Hester
Husak	Jensen	Kudart	Priebe
Rodgers	Rush	Slater	Vande Hoef
Wells	Yenger		

Absent or not voting, 2:

Carr Gallagher

Amendment S—3087 was adopted.

President Branstad took the chair at 10:17 a.m.

Senator Priebe asked and received unanimous consent that further action on **Senate File 271** be **deferred**.

UNFINISHED BUSINESS

(Deferred April 2, 1981)

Senate File 482

The Senate resumed consideration of Senate File 482, a bill for an act providing for compensation to owners of advertising devices and lessors of property upon which advertising devices are located when the advertising device is removed or taken by the state or a political subdivision of the state, deferred on April 2, 1981.

Senator Small offered amendment S—3345 filed by him on April 2, 1981, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 33.

Amendment S—3345 lost.

Senator Jensen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 482) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 3:

Deluhery	Hester	Small
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Absent or not voting, 3:

Gallagher	Gratias	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 482 passed the Senate on April 7, 1981.

JULIA GENTLEMAN

MOTION TO RECONSIDER LOST

Senate File 122

Senator Drake called up the motion to reconsider Senate File 122, a bill for an act relating to the operation and registration fees of

motorcycles, filed by him on February 2, 1981, found on page 297 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 122) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Murray	Nystrom	Ramsey
Readinger	Schwengels	Vande Hoef	Waldstein
Yenger			

Nays, 23:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Husak	Hutchins
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Palmer	Rodgers
Rush	Slater	Small	Taylor
Tieden	Van Gilst	Wells	

Absent or not voting, 2:

Gallagher	Priebe
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The motion lost.

MOTION TO RECONSIDER ADOPTED

Senator Junkins called up the motion to reconsider Senate File 435 filed by him on March 31, 1981, found on pages 1036-1037 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 435) the vote was:

Ayes, 35:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Deluhery	Doyle	Drake	Goodwin

Gratias	Hester	Hulse	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Ramsey	Rodgers
Rush	Schwengels	Slater	Small
Waldstein	Wells	Yenger	

Nays, 13:

Bisenius	Craft	DeKoster	Dreeszen
Gentleman	Holden	Hultman	Murray
Readinger	Taylor	Tieden	Vande Hoef
Van Gilst			

Absent or not voting, 2:

Gallagher Priebe

The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 435 went to its last reading, which motion prevailed by a voice vote.

Senate File 435

On motion of Senator Holden, Senate File 435, a bill for an act relating to the regulation of savings and loan associations, was taken up for reconsideration.

Senator Junkins withdrew the motion to reconsider the vote by which amendment S—3289 to Senate File 435 failed to be adopted by the Senate on March 31, 1981, filed by him on March 31, 1981, and found on page 1037 of the Senate Journal.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the remainder of the day on request of Senator Junkins.

BUSINESS PENDING

Senate File 435

The Senate resumed consideration of Senate File 435.

Senator Junkins offered amendment S—3334 filed by Senators Junkins and Deluhery on April 1, 1981, to page 4 of the bill.

Senator Hultman asked and received unanimous consent that action on **Senate File 435** and amendment S—3334 be **deferred**.

MOTIONS TO RECONSIDER CONSIDERED

Senate File 514

Senator Briles withdrew the motion to reconsider Senate File 514, a bill for an act relating to the operation of a motor vehicle, and providing penalties, filed by him on April 2, 1981, and found on page 1089 of the Senate Journal.

Senator Carr called up the motion to reconsider Senate File 514, filed by him on April 2, 1981, found on page 1089 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 514) the vote was:

Ayes, 22:

Anderson	Briles	Brown	Carr
Coleman	Deluhery	Doyle	Husak
Hutchins	Junkins	Kinley	Kudart
Miller, A.V.	Miller, C.P.	Nystrom	Rodgers
Rush	Slater	Small	Taylor
Wells	Yenger		

Nays, 24:

Baughner	Bisenius	Carney	Comito
Craft	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Lura	Ramsey	Readinger	Schwengels
Tieden	Vande Hoef	Van Gilst	Waldstein

Absent or not voting, 4:

Gallagher	Murray	Palmer	Priebe
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The motion lost.

UNFINISHED BUSINESS
(Deferred April 1, 1981)

Senate File 539

The Senate resumed consideration of Senate File 539, a bill for an act relating to workers' compensation and providing a penalty, deferred April 1, 1981.

Senator Rush withdrew amendment S—3359 filed by him on April 2, 1981, to pages 9 and 10 of the bill.

Senator Rush withdrew amendment S—3354 filed by him on April 2, 1981, to page 17 of the bill.

Senator Hultman withdrew amendment S—3302 filed by him on March 31, 1981, to pages 1, 15 and 19 of the bill.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 539) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Ramsey	Readinger	Rodgers
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Yenger			

Nays, 1:

Rush

Absent or not voting, 4:

Gallagher	Palmer	Priebe	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 435

The Senate resumed consideration of Senate File 435 and amendment S—3334 by Senators Junkins and Deluhery, previously deferred.

Senator Junkins moved the adoption of amendment S—3334 to page 4 of the bill.

A record roll call was requested.

On the question "Shall amendment S—3334 be adopted?" (S.F. 435) the vote was:

Ayes, 29:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Deluhery	Doyle	Drake	Goodwin
Gratias	Hester	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Rodgers
Slater	Small	Tieden	Wells
Yenger			

Nays, 18:

Bisenius	Craft	DeKoster	Dreeszen
Gentleman	Holden	Hulse	Kudart
Lura	Murray	Ramsey	Readinger
Rush	Schwengels	Taylor	Vande Hoef
Van Gilst	Waldstein		

Absent or not voting, 3:

Gallagher	Palmer	Priebe
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Amendment S—3334 was adopted.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 435) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Gallagher	Murray	Palmer	Priebe
Small			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 463.

Senate File 463

On motion of Senator Hultman, Senate File 463, a bill for an act exempting certain agricultural and other employers from the workers' compensation law, effective January 1, was taken up for consideration.

Senator Junkins asked and received unanimous consent that action on **Senate File 463** be deferred.

Senate File 489

On motion of Senator Doyle, Senate File 489, a bill for an act legalizing certain city waterworks, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 489) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Briles	Gallagher	Jensen	Kinley
Palmer	Priebe		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 506

On motion of Senator Readinger, Senate File 506, a bill for an act redefining the types of projects for which industrial revenue bonds may be issued under chapter 419 for the purpose of including facilities to be used for the sanitary disposal for recycling of solid waste and providing for its effect upon publication, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—3352 filed by him on April 2, 1981, to page 1 and the title page of the bill.

Senator Hultman asked and received unanimous consent that action on **Senate File 506** and amendment S—3352 be deferred.

Senate File 455

On motion of Senator Miller of Des Moines, Senate File 455, a bill for an act relating to the conveyance of county property to the federal government, was taken up for consideration.

Senator Miller of Des Moines moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 455) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hultman
Husak	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Briles	Gallagher	Hulse	Kinley
Palmer	Priebe		

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 1, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 472, a bill for an act relating to the continuing education requirement of assessors and deputy assessors and to the selection of new assessors.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 764, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, and taking effect upon publication.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 769, a bill for an act relating to meetings and payment for service on county commissions of veteran affairs, changing certain benefits provided by the county commissions, and clarifying and correcting certain references.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 772, a bill for an act establishing a hunter safety and ethics education program and subjecting violators to a penalty, to be effective July 1, 1983.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 773, a bill for an act relating to the penalty to be imposed on licensees who tender the department of beer and liquor control three or more insufficient funds checks within a twelve-month period for the purchase of alcoholic beverages.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 806, a bill for an act to delay implementation of administrative rules establishing minimum standards for county jails.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 472, a bill for an act relating to the continuing education requirement of assessors and deputy assessors and to the selection of new assessors.

Read first time and **passed on file**.

House File 764, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, and taking effect upon publication.

Read first time and **passed on file**.

House File 769, a bill for an act relating to meetings and payment for service on county commissions of veteran affairs, changing certain benefits provided by the county commissions, and clarifying and correcting certain references.

Read first time and **passed on file.**

House File 772, a bill for an act establishing a hunter safety and ethics education program and subjecting violators to a penalty, to be effective July 1, 1983.

Read first time and **passed on file.**

House File 773, a bill for an act relating to the penalty to be imposed on licensees who tender the department of beer and liquor control three or more insufficient funds checks within a twelve-month period for the purchase of alcoholic beverages.

Read first time and **passed on file.**

House File 806, a bill for an act to delay implementation of administrative rules establishing minimum standards for county jails.

Read first time and **passed on file.**

RECESS

On motion of Senator Hultman, the Senate recessed at 12:00 noon, until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 49 present, 1 absent and a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gentleman called up the Report of Investigating Committee for Norman L. Pawlewski as Commissioner of Public Health, filed April 6, 1981, found on page 1124 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and the report was adopted.

Senator Gentleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lura
Miller, A.V.	Nystrom	Palmer	Ramsey
Readinger	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Yenger	

Nays, 5:

Gentleman	Kudart	Murray	Rush
Waldstein			

Voting present, 1:

Miller, C.P.

Absent or not voting, 1:

Priebe

The Chair declared the appointment confirmed.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 58, Senator Hultman called up the following appointees on the En Bloc Confirmation Calendar:

State Board of Regents, found on page 1105 of the Senate Journal:

John C. McDonald
June Murphy
Fred W. Nolting
Margaret Anderson

Senator Hultman moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Palmer	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Tieden

Absent or not voting, 2:

Miller, C.P. Priebe

The Chair declared the appointments confirmed.

Senator Holden took the chair at 5:00 p.m.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 500.

Senate File 500

On motion of Senator Goodwin, Senate File 500, a bill for an act authorizing the board of supervisors to adopt and enforce uniform personnel policies and compensation plans for county employees, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 500) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 1:

Brown

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 463

The Senate resumed consideration of Senate File 463, previously deferred.

Senator Anderson offered amendment S—3419 filed by Senators Anderson and Hultman from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3419 was adopted by a voice vote.

Senator Anderson moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 463) the vote was:

Ayes, 45:

Baughner	Bisenius	Briles	Brown
Carney	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Ramsey	Readinger	Rodgers
Rush	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Yenger			

Nays, 4:

Anderson	Carr	Slater	Wells
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Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Carney took the chair at 5:10 p.m.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 509

On motion of Senator Holden, Senate File 509, a bill for an act providing for a maximum finance charge of one and three-fourths percent per month on consumer credit transactions pursuant to open end credit, was taken up for consideration.

Senator Palmer offered amendment S—3344 filed by Senators Palmer and Craft on April 2, 1981, to page 1 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3344 be adopted?" (S.F. 509) the vote was:

Ayes, 33:

Baughner	Bisenius	Brown	Carney
Comito	Craft	DeKoster	Dreeszen
Gentleman	Goodwin	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Palmer	Readinger
Rodgers	Rush	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, 14:

Anderson	Carr	Coleman	Deluhery
Doyle	Drake	Gallagher	Gratias
Hester	Kinley	Ramsey	Schwengels
Slater	Yenger		

Absent or not voting, 3:

Briles	Miller, C.P.	Priebe
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Amendment S—3344 was adopted.

With the adoption of amendment S—3344, the Chair ruled amendment S—3356 filed by Senator Carr on April 2, 1981, to page 1 of the bill and amendment S—3377 filed by Senator Carr on April 3, 1981, to page 1 of the bill, out of order.

Senator Carr offered amendment S—3347 filed by him on April 2, 1981, to page 1 of the bill.

Senator Holden raised the point of order that amendment S—3347 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3347 in order.

Senator Carr moved the adoption of amendment S—3347.

A non record roll call was requested.

The ayes were 29, nays 19.

Amendment S—3347 was adopted.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 509) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Holden
Hulse	Hultman	Husak	Jensen
Lura	Miller, A.V.	Murray	Nystrom
Palmer	Ramsey	Readinger	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein

Nays, 19:

Anderson	Brown	Carr	Deluhery
Doyle	Gallagher	Gratias	Hester
Hutchins	Junkins	Kinley	Kudart
Miller, C.P.	Rush	Schwengels	Slater
Small	Wells	Yenger	

Voting present, 2:

Coleman	Rodgers
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Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 749, a bill for an act relating to the state board of engineering examiners.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 749, a bill for an act relating to the state board of engineering examiners.

Read first time and passed on file.

APPENDIX

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 531, the following technical correction was made:

1. Page 1, line 24, reference to "sections 2 through 8" was changed to "sections 3 through 9".

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 24, the following technical correction was made:

1. Amendment S-3374, line 4, a comma "," was added after the word "specifications".

LINDA HOWARTH MACKAY
Secretary of the Senate

PROOF OF PUBLICATIONS

Published copy of House File 745 and verified proof of publication of said bill in The Anamosa Journal-Eureka, a newspaper published in Anamosa, Iowa, on March 18, 1981, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 787 and verified proof of publication of said bill in The Sioux City Journal, a newspaper published in Sioux City, Iowa, on March 12, 1981, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. F.	543	Ways and Means
S. R.	12	Rules and Administration
H.F.	747	Judiciary
H.F.	754	Transportation
H.F.	762	Judiciary
H.F.	806	County Government

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessary absent from the Senate session on Tuesday morning because I was attending the Senate Energy Policy Council meeting.

Had I been present I would have voted "aye" on Senate Files 435, 455, 482, 489 and 539.

JAMES V. GALLAGHER

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 482 passed the Senate on April 7, 1981.

JOHN W. JENSEN

STUDY BILL RECEIVED

S.S.B. 397 Appropriations

Providing that special fuel used to power railroad rolling stock is not exempt from the sales and use tax and appropriating moneys in each fiscal year from the general fund of the state to the railroad assistance fund which are attributable to the tax receipts received from the sales and use tax on special fuel used to power railroad rolling stock.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 7, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 148—To allow monthly refunding of motor vehicle registration reciprocity fees.

S.F. 159—Relating to the gross weight and operation of certain multi-axle vehicles and combinations of vehicles subject to penalties provided by law.

S.F. 251—Relating to the reciprocity of certain fish and game licenses for nonresidents.

REPORTS OF COMMITTEE MEETINGS

COUNTY GOVERNMENT

Convened: April 7, 1981, 3:05 p.m.

Members Present: Briles, Chairperson; Waldstein, Vice Chairperson; Wells, Ranking Member; Brown, Goodwin, Hester, C. Miller, Vande Hoef and Yenger.

Members Absent: Priebe (excused).

Final Bill Action: House File 806, a bill for an act to delay implementation of administrative rules establishing minimum standards for county jails.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Vande Hoef and Yenger. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned House Files 210 and 462 to subcommittees.

Adjourned: 3:14 p.m.

ENERGY

Convened: April 7, 1981, 8:16 a.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Doyle, Rodgers and Yenger.

Members Absent: Briles, Kudart and Readinger.

Final Bill Action: House File 737, a bill for an act including life cycle cost and energy efficiency as criteria to be used in developing state purchasing standards and specifications for energy consuming products.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Ramsey, Bisenius, Gallagher, Anderson, Doyle, Rodgers and Yenger. Nays, none. Absent or not voting, 3: Briles, Kudart and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned House File 766 to subcommittee.

Adjourned: 8:30 a.m.

WAYS AND MEANS

Convened: April 7, 1981, 1:30 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Priebe (excused).

Final Bill Action: House File 468, a bill for an act relating to the taxation of certain optional service or maintenance contracts which provide for the furnishing of labor and materials for a fixed price.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Craft, Readinger, Hester, Holden, Husak, Lura, Taylor and Van Gilst. Nays, 1: Rodgers. Absent or not voting, 6: Hultman, Junkins, Palmer, Ramsey, Rush and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned SSBs 392, 393, 394, Senate Files 458 and 475 and House File 350 to subcommittees; approved SSB 62 as a committee bill; deferred action on Senate File 401.

Adjourned: 2:35 p.m.

PRESENTATION OF VISITORS

President Branstad welcomed Mr. A. M. White, President of the Legislative Council from South Australia, who was accompanied by his wife and former U.S. Congressman from Iowa, William J. Scherle.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-four students from Gilmore City-Bradgate Jr.-Sr. High School, Gilmore City, Iowa, accompanied by Mrs. Velma Juelfs. Senator Coleman.

Twenty-five students from Lakeview Elementary School, Centerville, Iowa, accompanied by Jane Schick. Senator Ramsey.

Forty students from Fort Dodge Sr. High School and St. Edmund High School, Fort Dodge, Iowa, accompanied by Sister Eugene, Ron Hagemann and Loretta Tarbox. Senator Coleman.

Twenty-nine students from Logan Junior High School, Waterloo, Iowa, accompanied by David Miller, Mrs. Miller and Mrs. Murray. Senator Anderson.

AMENDMENTS FILED

S—3413

H.F.

293

Lucas J. DeKoster
Berl E. Priebe

S—3414	H.F.	293	Lucas J. DeKoster
S—3415	S. F.	492	Charles P. Miller
			Ray Taylor
			Arthur L. Gratias
			Richard Vande Hoef
			Joe Brown
			James V. Gallagher
			Alvin V. Miller
S—3416	H.F.	303	C.W. Bill Hutchins
S—3417	H.F.	303	C.W. Bill Hutchins
S—3418	S. F.	521	Ray Taylor
S—3419	S. F.	463	Ted Anderson
			Calvin O. Hultman

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Wednesday, April 8, 1981.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 8, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by Elder Jim L. Andersen of the Reorganized Church of Jesus Christ of Latter Day Saints, Harlan, Iowa.

The Journal of Tuesday, April 7, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Patricia Connell, M.D., Waterloo, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the morning session on request of Senator Hutchins.

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 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 768, a bill for an act requiring the commissioner of insurance to adopt rules relating to minimum standards for group medicare supplement contracts that are consistent with rules adopted with respect to individual medicare supplement contracts.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 775, a bill for an act providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 777, a bill for an act relating to assignments of instruments and accounts.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 778, a bill for an act relating to the disclaimer of succession to property and providing a January 1 effective date.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 779, a bill for an act relating to the rules of evidence.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 792, a bill for an act relating to the administration of the Iowa national guard facilities, and appropriating income from national guard property.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 794, a bill for an act relating to the Iowa Probate Code.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 828, a bill for an act to redefine the duties of the state historical department, to provide for the appointment of an executive director and a state historical board, and to provide that the Act takes effect January 1, 1981.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 768, a bill for an act requiring the commissioner of insurance to adopt rules relating to minimum standards for group medicare supplement contracts that are consistent with rules adopted with respect to individual medicare supplement contracts.

Read first time and **passed on file.**

House File 775, a bill for an act providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels.

Read first time and **passed on file.**

House File 777, a bill for an act relating to assignments of instruments and accounts.

Read first time and **passed on file.**

House File 778, a bill for an act relating to the disclaimer of succession to property and providing a January 1 effective date.

Read first time and **passed on file.**

House File 779, a bill for an act relating to the rules of evidence.

Read first time and **passed on file.**

House File 792, a bill for an act relating to the administration of the Iowa national guard facilities, and appropriating income from national guard property.

Read first time and **passed on file.**

House File 794, a bill for an act relating to the Iowa Probate Code by increasing the amount that may pass to a minor without the necessity of appointing a conservator; by defining sale of property in probate proceedings; by providing that certain hearings are not necessary if a certain type of notice is used; and by providing that if a claimant is represented by an attorney, the attorney of record for the claimant shall be notified of the disallowance of the claim.

Read first time and **passed on file.**

House File 828, a bill for an act to redefine the duties of the state historical department, to provide for the appointment of an executive director and a state historical board, and to provide that the Act takes effect January 1, 1982.

Read first time and **passed on file.**

RECESS

On motion of Senator Hultman, the Senate recessed at 9:11 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Branstad 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 1, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 241, a bill for an act relating to the use of flashing warning lights and stop arms by school bus drivers.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 825, a bill for an act relating to the rights of residents of health care facilities and providing penalties.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 241, a bill for an act relating to the use of flashing warning lights and stop arms by school bus drivers.

Read first time and **passed on file**.

House File 825, a bill for an act relating to the rights of residents of health care facilities and providing penalties.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

(House Files Substituted)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 472.

Senate File 472

On motion of Senator Hultman, Senate File 472, a bill for an act relating to the issuance by the commissioner of health of citations to health care facilities, was taken up for consideration.

Senator Hultman asked and received unanimous consent that **House File 746** be substituted for **Senate File 472**.

Senator Hultman asked and received unanimous consent that

action on **House File 746** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 473.

Senate File 473

On motion of Senator Hultman, Senate File 473, a bill for an act relating to the use of chapters 663 and 663A of the Code by persons convicted of, or sentenced for, a public offense, was taken up for consideration.

Senator Hultman asked and received unanimous consent that **House File 765** be **substituted** for **Senate File 473**.

Senator Hultman asked and received unanimous consent that action on **House File 765** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 495.

Senate File 495

On motion of Senator Hultman, Senate File 495, a bill for an act providing that domestic fire and casualty insurers may engaged in certain options transactions, was taken up for consideration.

Senator Hultman asked and received unanimous consent that **House File 292** be **substituted** for **Senate File 495**.

Senator Hultman asked and received unanimous consent that action on **House File 292** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 402.

Senate File 402

On motion of Senator Hultman, Senate File 402, a bill for an act relating to the Iowa beef industry council, was taken up for consideration.

Senator Hultman asked and received unanimous consent that **House File 750** be **substituted** for **Senate File 402**.

Senator Hultman asked and received unanimous consent that action on **House File 750** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 419.

Senate File 419

On motion of Senator Hultman, Senate File 419, a bill for an act requiring the commissioner of insurance to adopt rules relating to minimum standards for group medicare supplement contracts that are consistent with rules adopted with respect to individual medicare supplement contracts, was taken up for consideration.

Senator Hultman asked and received unanimous consent that **House File 768** be **substituted** for **Senate File 419**.

Senator Hultman asked and received unanimous consent that action on **House File 768** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gratias, Schwengels and Nystrom for April 8, 9 and 10 on request of Senator Hultman.

CONSIDERATION OF BILLS (Steering Calendar)

Senate File 438

On motion of Senator Drake, Senate File 438, a bill for an act to make employment applications confidential records and allow them to be discussed in closed session, was taken up for consideration.

Senator Drake asked and received unanimous consent that action on **Senate File 438** be **deferred**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 439.

Senate File 439

On motion of Senator Slater, Senate File 439, a bill for an act to allow a class "A" beer permittee to also hold a class "B" beer permit, was taken up for consideration.

Senator Carr offered amendment S—3335 filed by him on April 1, 1981, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3335 was adopted by a voice vote.

Senator Slater moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 439) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lura	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Craft	Gratias	Kudart	Murray
Nystrom	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 522.

Senate File 522

On motion of Senator Slater, Senate File 522, a bill for an act to require that the department of public instruction and the area education agencies encourage schools to offer programs for gifted and talented children, was taken up for consideration.

Senator Slater moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 522) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Deluhery	Gratias	Miller, C.P.	Murray
Nystrom	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 438

The Senate resumed consideration of Senate File 438, previously deferred.

Senator Kudart offered amendment S—3426 filed by him from the floor to page 1 of the bill.

Senator Lura called for a division of amendment S—3426: lines 2 through 4 as division S—3426A; lines 5 through 10 as division S—3426B.

Senator Kudart moved the adoption of division S—3426A, which motion prevailed by a voice vote.

Senator Kudart moved the adoption of division S—3426B.

A record roll call was requested.

On the question "Shall division S—3426B be adopted?" (S.F. 438) the vote was:

Ayes, 21:

Anderson	Baughner	Brown	Coleman
DeKoster	Deluhery	Doyle	Dreeszen
Gentleman	Husak	Hutchins	Kudart
Miller, A.V.	Miller, C.P.	Priebe	Ramsey
Rush	Van Gilst	Waldstein	Wells
Yenger			

Nays, 25:

Bisenius	Briles	Carney	Carr
Comito	Craft	Drake	Gallagher
Goodwin	Hester	Holden	Hulse
Hultman	Jensen	Junkins	Kinley
Lura	Palmer	Readinger	Rodgers
Slater	Small	Taylor	Tieden
Vande Hoef			

Absent or not voting, 4:

Gratias	Murray	Nystrom	Schwengels
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Division S—3426B lost.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 438) the vote was:

Ayes, 36:

Anderson	Bisenius	Briles	Carney
Carr	Coleman	Craft	Doyle
Drake	Dreeszen	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lura	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rodgers	Slater

Small
Van Gilst

Taylor
Waldstein

Tieden
Wells

Vande Hoef
Yenger

Nays, 9:

Baughner
Gallagher
Rush

Brown
Gentleman

DeKoster
Kudart

Deluhery
Ramsey

Absent or not voting, 5:

Comito
Schwengels

Gratias

Murray

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 492.

Senate File 492

On motion of Senator Hutchins, Senate File 492, a bill for an act relating to the operation of urban transit systems, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—3415 filed by Senators Miller of Des Moines, et al., on April 7, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3415 was adopted by a voice vote.

Senator Hutchins moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 492) the vote was:

Ayes, 44:

Anderson
Brown
Comito
Doyle

Baughner
Carney
Craft
Drake

Bisenius
Carr
DeKoster
Dreeszen

Briles
Coleman
Deluhery
Gallagher

Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Hutchins	Jensen
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Yenger

Nays, 2:

Husak	Wells
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Absent or not voting, 4:

Gratias	Junkins	Nystrom	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Files 438 and 522** be immediately messaged to the House.

CONSIDERATION OF BILLS (Steering Calendar)

Senate File 490

On motion of Senator Kudart, Senate File 490, a bill for an act to allow tort claim actions against the state to be tried before a jury, was taken up for consideration.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 490) the vote was:

Ayes, 45:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins

Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 1:

Gentleman

Absent or not voting, 4:

Bisenius	Gratias	Nystrom	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 524

On motion of Senator Drake, Senate File 524, a bill for an act establishing a transportation regulation authority to replace the three-member transportation regulation board with a January 1, 1982 effective date, was taken up for consideration.

Senator Drake offered amendment S—3294 filed by him on March 31, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3294 was adopted by a voice vote.

Senator Drake asked and received unanimous consent that action on **Senate File 524** be deferred.

Senate File 485

On motion of Senator Kudart, Senate File 485, a bill for an act relating to hazardous waste management, including new prohibited acts and providing penalties for violations, was taken up for consideration.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 485) the vote was:

Ayes, 46:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Baughner	Gratias	Nystrom	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 464

On motion of Senator Lura, Senate File 464, a bill for an act creating the criminal justice planning agency and the criminal justice coordinating council, prescribing powers and duties, transferring existing programs, and abolishing the Iowa crime commission, was taken up for consideration.

Senator Lura offered amendment S—3284 filed by Senator Schwengels on March 31, 1981, to pages 1 and 4 of the bill.

Senator Lura offered amendment S—3311 filed by Senator Schwengels on April 1, 1981, to amendment S—3284 and moved its adoption.

Amendment S—3311 was adopted by a voice vote.

Senator Lura moved the adoption of amendment S—3284 as amended, which motion prevailed by a voice vote.

Senator Rush asked and received unanimous consent that action on **Senate File 464** be deferred.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 532.

Senate File 532

On motion of Senator Taylor, Senate File 532, a bill for an act authorizing the Iowa family farm development authority to establish an additional loan program to beginning farmers and to issue limited obligations therefor and to amend and clarify certain other provisions of chapter 175, was taken up for consideration.

Senator Junkins asked and received unanimous consent that action on **Senate File 532** be **deferred**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

BUSINESS PENDING**Senate File 524**

The Senate resumed consideration of Senate File 524, previously deferred.

Senator Drake offered amendment S—3427 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—3427 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 524) the vote was:

Ayes, 42:

Bisenius	Briles	Brown	• Carney
Carr	Coleman	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Palmer	Ramsey	Readinger	Rodgers
Rush	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Anderson
Holden

Baughner
Nystrom

Comito
Priebe

Gratias
Schwengels

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. 432
S.F. 399
S.F. 217
S.F. 529
S.F. 535
S.F. 494
S.F. 515
S.F. 511
S.F. 518
S.F. 526
S.F. 393
S.F. 452
S.F. 216
S.F. 501
S.F. 503
S.F. 450
S.F. 382
S.F. 182
S.F. 254

CALVIN O. HULTMAN, Chairperson

BILL REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that **Senate File 432** be referred from the Steering Calendar to the committee on **Judiciary**.

CONSIDERATION OF BILLS (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 217.

Senate File 217

On motion of Senator Rush, Senate File 217, a bill for an act to provide that transfers of property or interests in property pursuant to a decree of dissolution of marriage are not subject to the real estate transfer tax and the requirements relating to the filing of a declaration of value, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin offered amendment S—3258 filed by Senators Goodwin, Rush and Briles on March 26, 1981, to pages 1 and 2 and the title page of the bill and moved its adoption.

Amendment S—3258 was adopted by a voice vote.

Senator Murray offered amendment S—3220 filed by him on March 19, 1981, to page 2 of the bill and moved its adoption.

Amendment S—3220 was adopted by a voice vote.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 217) the vote was:

Ayes, 41:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Craft	DeKoster
Deluhery	Doyle	Dreeszen	Gallagher
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Miller, A.V.	Miller, C.P.	Murray	Palmer
Ramsey	Readinger	Rodgers	Rush
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 9:

Anderson	Coleman	Comito	Drake
Gratias	Lura	Nystrom	Priebe
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 529

On motion of Senator Lura, Senate File 529, a bill for an act relating to material donated to a public library, museum or archive, was taken up for consideration.

Senator Brown asked and received unanimous consent that action on **Senate File 529** be **deferred**.

BUSINESS PENDING

Senate File 464

The Senate resumed consideration of Senate File 464, previously deferred.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 464) the vote was:

Ayes, 43:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Holden

Absent or not voting, 6:

Anderson	Coleman	Gratias	Jensen
Nystrom	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 529

The Senate resumed consideration of Senate File 529, previously deferred.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 529) the vote was:

Ayes, 34:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin
Hultman	Husak	Junkins	Kinley
Lura	Miller, A.V.	Murray	Palmer
Priebe	Readinger	Rodgers	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Wells	Yenger		

Nays, 10:

Gentleman	Hester	Hulse	Hutchins
Kudart	Miller, C.P.	Ramsey	Rush
Slater	Waldstein		

Absent or not voting, 6:

Comito	Gratias	Holden	Jensen
Nystrom	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Anderson for the remainder of the day on request of Senator Junkins.

CONSIDERATION OF BILL
(Steering Calendar)

Senate File 399

On motion of Senator Van Gilst, Senate File 399, a bill for an act relating to revision of laws governing recreational boating in Iowa, including penalties and scheduled fines for violations of boating laws, was taken up for consideration.

Senator Van Gilst asked and received unanimous consent that Nancy Exline from the State Conservation Commission be allowed in the Senate chamber during discussion of the bill.

Senator Hultman asked and received unanimous consent that action on **Senate File 399** be deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 733, a bill for an act relating to the possession, use, or sale of fireworks and providing penalties.

ALSO: That the House has on April 2, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 744, a bill for an act relating to pre-trial and post-trial criminal procedures.

ALSO: That the House has on April 3, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 774, a bill for an act requiring prime suppliers of liquid fossil fuel to Iowa to reserve a specified percentage of fuel for release by the director of energy policy under specified circumstances.

ALSO: That the House has on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 780, a bill for an act relating to the long-arm jurisdictional provisions in the Code.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 733, a bill for an act relating to the possession, use, or sale of fireworks and providing penalties.

Read first time and **passed on file.**

House File 744, a bill for an act relating to pre-trial and post-trial criminal procedures.

Read first time and **passed on file.**

House File 780, a bill for an act relating to the long-arm jurisdictional provisions in the Code.

Read first time and **passed on file.**

House File 774, a bill for an act requiring prime suppliers of liquid fossil fuel to Iowa to reserve a specified percentage of fuel for release by the director of energy policy under specified circumstances.

Read first time and **passed on file.**

APPENDIX

STUDY BILL RECEIVED

S.S.B. 398 Ways and Means

Relating to fees charged for certified copies.

COMMUNICATION

The following communication has been received and placed in the office of the Lieutenant Governor from:

DEPARTMENT OF PUBLIC INSTRUCTION

A copy of the report provided by the department resulting from the on-site visits of school districts selected for special education financial review pursuant to Section 281.9(6), Code 1981.

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

H.F.	472	County Government
H.F.	745	Judiciary
H.F.	749	State Government
H.F.	756	Transportation
H.F.	764	Cities
H.F.	769	County Government
H.F.	772	Natural Resources
H.F.	773	State Government
H.F.	785	Judiciary
H.F.	787	Judiciary
H.F.	790	Commerce

REPORT OF COMMITTEE

TRANSPORTATION

Final Bill Action: House File 754, a bill for an act relating to motor vehicle reports and records.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Drake, Jensen, Bisenius, Coleman, Comito, Hutchins, A. Miller and Nystrom. Nays, 1: Doyle. Absent or not voting, 1: Murray.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CLAIMS

Convened: April 7, 1981, 12:35 p.m.

Members Present: Murray, Chairperson and Small, Ranking Member (arrived 12:50 p.m.).

Members Absent: Briles and Comito.

Other Committee Business: Considered payment of claims previously denied by State Appeals Board.

Adjourned: 1:30 p.m.

COMMERCE

Convened: April 8, 1981, 8:00 a.m.

Members Present: Holden, Chairperson; Craft, Husak, Jensen, Priebe and Rush.

Members Absent: Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito and DeKoster.

Final Bill Action: House File 588, a bill for an act relating to the collection by lenders of certain fees from persons other than sellers and borrowers in connection with certain real property purchase-money loans.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Holden, Craft, Husak, Jensen, Priebe and Rush. Nays, none. Absent or not voting, 4: Baugher, Deluhery, Comito and DeKoster.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 8:20 a.m.

JUDICIARY

Convened: April 7, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Small and Taylor.

Members Absent: Ramsey.

Final Bill Action: House File 731, a bill for an act relating to criminal investigative data, criminal history data, intelligence data, and the confidentiality of peace officers' investigative reports.

Recommendation: DO PASS.

Final Vote: Ayes, 13: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Small and Taylor. Nays, none. Absent or not voting, 1: Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; House Concurrent Resolution 6 failed recommendation for passage.

Adjourned: 4:00 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty students from West Marshall School, State Center, Iowa, accompanied by Mrs. McIntosh and Mrs. Koch. Senator Lura.

Seventy students from Audubon Community School, Audubon, Iowa, accompanied by Carma Hutchins, Carol Kallesen and Diane Wagner.

AMENDMENTS FILED

S—3420	H.F.	750	Berl E. Priebe
S—3421	H.F.	750	Berl E. Priebe
S—3422	H.F.	750	Berl E. Priebe
S—3423	H.F.	293	Arne Waldstein Berl E. Priebe James E. Briles Dale L. Tieden
S—3424	S. F.	530	John N. Nystrom

S—3425	H.F.	750	C. Joseph Coleman
S—3426	S. F.	438	A.R. (Bud) Kudart
S—3427	S. F.	524	Richard F. Drake
S—3428	S. F.	491	Bob Rush
S—3429	S. F.	399	John S. Murray
S—3430	S. F.	399	Julia Gentleman
S—3431	S. F.	511	Donald V. Doyle
S—3432	S. F.	399	Berl E. Priebe Lucas J. DeKoster

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:08 p.m., until 9:00 a.m., Thursday, April 9, 1981.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 9, 1981

The Senate met in regular session at 9:11 a.m., President Branstad presiding.

Prayer was offered by the Reverend Le La Cheur, pastor of the First Church of the Open Bible, Des Moines, Iowa.

The Journal of Wednesday, April 8, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hennessey, M.D., Manilla, 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 on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 782, a bill for an act relating to the powers and duties of the governor during a disaster emergency, to be effective upon publication.

ALSO: That the House has on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 783, a bill for an act relating to the licensing and examining boards including the board of medical examiners, and providing a penalty.

ALSO: That the House has on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 784, a bill for an act relating to reports of reportable disease.

ALSO: That the House has on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 788, a bill for an act excluding child day care providers and babysitters from the child foster care licensing requirements, requiring family and group day care providers who are foster care licensees to register under chapter 237A, and

providing that foster children are considered children of the family or group day care provider.

ALSO: That the House has on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 795, a bill for an act relating to nonprofit marketing associations regulated under chapter 500.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 804, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions.

ALSO: That the House has on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 826, a bill for an act relating to certain obligations under chapter 258A of licensees under chapter 116.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 782, a bill for an act relating to the powers and duties of the governor during a disaster emergency, to be effective upon publication.

Read first time and **passed on file**.

House File 783, a bill for an act relating to the licensing and examining boards, including the board of medical examiners, and providing a penalty.

Read first time and **passed on file**.

House File 784, a bill for an act relating to reports of reportable disease.

Read first time and **passed on file**.

House File 788, a bill for an act excluding child day care providers and babysitters from the child foster care licensing requirements, requiring family and group day care providers who are foster care licensees to register under chapter 237A, and providing that foster children are considered children of the family or group day care provider.

Read first time and **passed on file.**

House File 795, a bill for an act relating to nonprofit marketing associations regulated under chapter 500.

Read first time and **passed on file.**

House File 804, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions.

Read first time and **passed on file.**

House File 826, a bill for an act relating to certain obligations under chapter 258A of licensees under chapter 116.

Read first time and **passed on file.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murray for the morning session on request of Senator Hultman.

UNFINISHED BUSINESS (Deferred April 7, 1981)

Senate File 506

The Senate resumed consideration of Senate File 506, a bill for an act redefining the types of projects for which industrial revenue bonds may be issued under chapter 419 for the purpose of including facilities to be used for the sanitary disposal for recycling of solid waste and providing for its effect upon publication, and amendment S—3352 by Senator Miller of Cerro Gordo, deferred on April 7, 1981.

Senator Miller of Cerro Gordo moved the adoption of amendment S—3352 to page 1 and the title page of the bill.

A record roll call was requested.

On the question "Shall amendment S—3352 be adopted?" (S.F. 506) the vote was:

Ayes, 33:

Anderson

Bisenius

Briles

Carney

Coleman	Comito	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin
Holden	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Ramsey
Rodgers	Rush	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, 11:

Baughner	Craft	DeKoster	Gentleman
Hester	Hultman	Kudart	Lura
Readinger	Small	Yenger	

Absent or not voting, 6:

Brown	Carr	Gratias	Murray
Nystrom	Schwengels		

Amendment S—3352 was adopted.

Senator Holden offered amendment S—3327 filed by him on April 1, 1981, to page 1 and the title page of the bill.

Senator Holden asked and received unanimous consent that action on amendment S—3327 be deferred.

Senator Vande Hoef offered amendment S—3411 filed by him on April 6, 1981, to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 12.

Amendment S—3411 was adopted.

Senator Readinger offered amendment S—3324 filed by him on April 1, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3324 was adopted by a voice vote.

Senator Holden asked and received unanimous consent that action on **Senate File 506** and amendment S—3327 be deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

CONSIDERATION OF BILLS
(Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 508.

Senate File 508

On motion of Senator Jensen, Senate File 508, a bill for an act providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels, was taken up for consideration.

Senator Comito offered amendment S—3357 filed by Senators Comito and Jensen on April 2, 1981, to page 4 of the bill and moved its adoption.

Amendment S—3357 was adopted by a voice vote.

Senator Jensen asked unanimous consent that House File 775 be substituted for Senate File 508.

Senator Carr raised the point of order that with the adoption of amendment S—3357, House File 775 could not be substituted for Senate File 508.

The Chair ruled the point well taken because there was a difference in the bills and they no longer were eligible for substitution.

Senator Hultman asked and received unanimous consent that action on **Senate File 508** be **deferred**.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 535.

Senate File 535

On motion of Senator Yenger, Senate File 535, a bill for an act relating to the chronic renal disease program within the department of public health, was taken up for consideration.

Senator Yenger offered amendment S—3319 filed by her on April 1, 1981, to pages 1 through 4 and the title page of the bill and moved its adoption.

Amendment S—3319 was adopted by a voice vote.

Senator Yenger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 535) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Carney	Comito	Gratias	Holden
Murray	Nystrom	Schwengels	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 494

On motion of Senator Doyle, Senate File 494, a bill for an act relating to objections to the place of trial in a criminal action, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 494) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Comito	Gratias	Holden	Lura
Murray	Nystrom	Schwengels	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 515

On motion of Senator Doyle, Senate File 515, a bill for an act relating to a limitation on the time period for the filing of estates, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 515) the vote was:

Ayes, 40:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, C.P.	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Yenger

Nays, none.

Absent or not voting, 10:

Anderson	Comito	Gratias	Holden
Miller, A.V.	Murray	Nystrom	Schwengels
Slater	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 518

On motion of Senator Doyle, Senate File 518, a bill for an act relating to the registration of foreign support orders under Iowa's uniform support of dependents law, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 518) the vote was:

Ayes, 41:

Baugher	Bisenius	Briles	Brown
Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 9:

Anderson	Comito	Gratias	Hultman
Murray	Nystrom	Schwengels	Slater
Taylor			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 526

On motion of Senator Kudart, Senate File 526, a bill for an act relating to the registration and operation of snowmobiles, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **Senate File 526** be deferred.

Senate File 393

On motion of Senator Readinger, Senate File 393, a bill for an act relating to redemption and disposition of empty beverage containers and subjecting violators to a penalty, was taken up for consideration.

Senator Readinger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 393) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Comito	Craft	Gratias	Hulse
Murray	Nystrom	Schwengels	

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 393 passed

the Senate on April 9, 1981.

RICHARD VANDE HOEF

CONSIDERATION OF BILLS
(Steering Calendar)

Senate File 452

On motion of Senator Rodgers, Senate File 452, a bill for an act relating to private fish hatcheries, was taken up for consideration.

Senator Rodgers moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 452) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	Deluhery	Doyle	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Comito	DeKoster	Drake	Gratias
Murray	Nystrom	Schwengels	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 216

On motion of Senator Vande Hoef, Senate File 216, a bill for an act relating to noxious weeds, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 216) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Comito	Gratias	Murray	Nystrom
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 501

On motion of Senator Rodgers, Senate File 501, a bill for an act to provide for the establishment of a state nursery to be located in southern Iowa, was taken up for consideration.

Senator DeKoster offered amendment S—3433 filed by Senators DeKoster and Baughner from the floor to page 1 of the bill and moved its adoption.

Amendment S—3433 was adopted by a voice vote.

Senator Rodgers moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 501) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Craft	Gratias	Murray	Nystrom
Schwenngels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 526

The Senate resumed consideration of Senate File 526, previously deferred.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 526) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Hutchins	Jensen	Junkins	Kinley
Kudart	Miller, A.V.	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush

Slater
Vande Hoef
Yenger

Small
Van Gilst

Taylor
Waldstein

Tieden
Wells

Nays, 5:

Carr
Miller, C.P.

Gallagher

Husak

Lura

Absent or not voting, 4:

Gratias

Murray

Nystrom

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 508

The Senate resumed consideration of Senate File 508, previously deferred.

Senator Jensen offered amendment S—3437 filed by him from the floor to pages 1 through 3 of the bill and moved its adoption.

Amendment S—3437 was adopted by a voice vote.

Senator Jensen asked and received unanimous consent that **House File 775 be substituted for Senate File 508.**

House File 775

On motion of Senator Jensen, House File 775, a bill for an act providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 775) the vote was:

Ayes, 40:

Anderson
Brown
Comito

Baughner
Carney
Craft

Bisenius
Carr
Deluhery

Briles
Coleman
Doyle

Drake	Dreeszen	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 4:

DeKoster	Gallagher	Kudart	Small
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Absent or not voting, 6:

Gratias	Lura	Miller, C.P.	Murray
Nystrom	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Jensen asked and received unanimous consent that **Senate File 508** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 450.

Senate File 450

On motion of Senator Rodgers, Senate File 450, a bill for an act relating to financial responsibility for boating accidents and providing a penalty, was taken up for consideration.

Senator Hutchins offered amendment S—3263 filed by him on March 30, 1981, to page 1 of the bill.

Senator Rush asked and received unanimous consent that action on **Senate File 450** and amendment S—3263 be **deferred**.

Senate File 382

On motion of Senator Ramsey, Senate File 382, a bill for an act repealing the requirement that clerks of the district court and

county attorneys inspect county jails, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Holden took the chair at 12:00 noon.

Senator Deluhery offered amendment S—3224 filed by the committee on Judiciary on March 19, 1981, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—3224 lost.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 382) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Gentleman	Gratias	Lura	Murray
Nystrom	Schwengels		

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 April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 801, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire-fighters and penal and correction facility staff, and providing penalties.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 801, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire-fighters and penal and correction facility staff, and providing penalties.

Read first time and **passed on file.**

BILL REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that **Senate File 321** be referred from the Steering Calendar to the committee on **Agriculture** and that the bill be reported out no later than 4:00 p.m. today and retain its place on the Steering Calendar.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:15 p.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:03 p.m., President Branstad presiding.

INTRODUCTION OF BILL

Senate File 544, by Committee on Ways and Means, a bill for an act relating to the imposition of local option taxes by a city or county and providing for penalties.

Read first time and **placed on calendar.**

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hulse and Goodwin for the afternoon session on request of Senator Hultman.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 542

On motion of Senator Waldstein, Senate File 542, a bill for an act making a supplemental appropriation to the department of social services for the fiscal year ending June 30, 1981, for the aid to dependent children program, field operations, and operation of the adult correctional institutions, was taken up for consideration.

Senator Carney took the chair at 4:20 p.m.

Senator Waldstein moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 542) the vote was:

Ayes, 34:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Hester
Holden	Hultman	Husak	Hutchins
Jensen	Kudart	Lura	Miller, A.V.
Ramsey	Readinger	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Yenger		

Nays, 8:

Brown	Coleman	Junkins	Kinley
Miller, C.P.	Palmer	Priebe	Rush

Absent or not voting, 8:

Goodwin	Gratias	Hulse	Murray
Nystrom	Rodgers	Schwengels	Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 506

The Senate resumed consideration of Senate File 506 and amendment S—3327 by Senator Holden, previously deferred.

Senator Holden withdrew amendment S—3435 filed by him from the floor to page 1 and the title page of the bill.

Senator Holden offered amendment S—3436 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 17.

Amendment S—3436 was adopted.

Senator Holden withdrew amendment S—3327 to page 1 and the title page of the bill, previously deferred.

Senator Hultman asked and received unanimous consent that action on **Senate File 506** be deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 503, a bill for an act to provide that parties to a judicial review of an administrative agency action may be provided copies of the petition for judicial review by personal service instead of mailing.

ALSO: That the House has on April 6, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 781, a bill for an act relating to the administration and enforcement of beer and liquor control laws including the addition of a prohibited activity and clarifying penalty provisions.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 503, a bill for an act to provide that parties to a judicial review of an administrative agency action may be provided copies of the petition for judicial review by personal service instead of mailing.

Read first time and passed on file.

House File 781, a bill for an act relating to the administration and enforcement of beer and liquor control laws including the addition of a prohibited activity and clarifying penalty provisions.

Read first time and passed on file.

BILL PLACED ON STEERING CALENDAR

Senator Hultman asked and received unanimous consent that **Senate File 470** be placed on the Steering Calendar.

APPENDIX

COMMUNICATION FROM THE SECRETARY OF THE STATE

April 8, 1981

Ms. Linda Mackay
 Secretary of the Senate
 State Capitol Building
 LOCAL

I hereby certify that House File 414 was published in the Lenox Time-Table, Lenox, Iowa, on April 1, 1981, and in The Republic Appeal, Albert City, Iowa, on April 2, 1981.

Respectfully submitted,
 MARY JANE ODELL
 Secretary of State

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

H.F.	241	Transportation
H.F.	733	Judiciary
H.F.	744	Judiciary
H.F.	774	Energy
H.F.	777	Judiciary
H.F.	778	Judiciary
H.F.	779	Judiciary
H.F.	780	Judiciary
H.F.	792	State Government
H.F.	794	Judiciary
H.F.	825	Human Resources

STUDY BILLS RECEIVED

S.S.B. 399 Appropriations

Relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1981, and ending June 30, 1983 relating to capital improvements and expenditures for designated institutions under the department of social services.

S.S.B. 400 Appropriations

Relating to the closing of the juvenile home at Toledo effective October 1, 1981.

REPORTS OF COMMITTEE**COUNTY GOVERNMENT**

Final Bill Action: House File 210, a bill for an act authorizing a city or county to issue revenue bonds to finance the acquisition of land, buildings, or improvements to be used by or for fairs or expositions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 462, a bill for an act relating to the withdrawal of land from a benefited fire district.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 472, a bill for an act relating to the continuing education requirement of assessors and deputy assessors and to the selection of new assessors.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 769, a bill for an act relating to meetings and payments for service on county commissions of veteran affairs, changing certain

benefits provided by the county commissions, and clarifying and correcting certain references.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: April 8, 1981, 9:30 a.m.

Members Present: Baugher, Chairperson; Doyle, Ranking Member; DeKoster and Gentleman.

Members Absent: Deluhery (excused).

Other Committee Business: Subcommittee approved SSB 400, an act relating to the closing of the juvenile home at Toledo effective October 1, 1981, and submitted it to the full Appropriations committee; approved SSB 399, an act relating to the administration and financing of correctional and mental health programs under jurisdiction of the department of social services for FY 82 and FY 83 and capital improvements and expenditures for designated institutions under the department of social services, and submitted it to the full Appropriations committee.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: April 8, 1981, 9:25 a.m.

Members Present: Yenger, Chairperson; Husak, Ranking Member; Readinger, Kudart and A. Miller.

Members Absent: none.

Other Committee Business: Approved proposed bill draft to submit to the full Appropriations committee.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: April 8, 1981, 9:30 a.m.

Members Present: Tieden, Chairperson; Priebe, Ranking Member; Gallagher, Hester and Goodwin.

Members Absent: none.

Other Committee Business: Amended and voted on revised SSB 317, the Appropriations Subcommittee on Natural Resources bill.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: April 8, 1981, 9:30 a.m.

Members Present: Jensen, Chairperson; Hulse and C. Miller.

Members Absent: Rush, Ranking Member and Gratias (excused).

Other Committee Business: Discussed Iowa Beer and Liquor Control Commission.

Adjourned: 9:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: April 8, 1981, 9:34 a.m.

Members Present: Waldstein, Chairperson; Slater, Ranking Member; Brown (arrived 11:09 a.m.), Craft and Vande Hoef.

Members Absent: none.

Other Committee Business: Voted on intent language for social services programs FY '82 and '83.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: April 8, 1981, 9:45 a.m.

Members Present: Bisenius, Chairperson; Anderson, Drake and Holden.

Members Absent: Coleman, Ranking Member (excused).

Other Committee Business: Amended and approved SSB 397, providing for a sales tax on special fuel used to power railroad rolling stock.

Adjourned: 10:25 a.m.

AGRICULTURE

Convened: April 9, 1981, 1:10 p.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, Husak, Vande Hoef, Van Gilst, Waldstein and A. Miller (arrived 1:30 p.m.).

Members Absent: none.

Final Bill Action: Senate File 321, a bill for an act relating to the fees and licenses issued by the department of agriculture.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3446.

Final Vote: Ayes, 9: Taylor, Hester, Dreeszen, Hulse, Husak, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, 1: Hutchins.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:30 p.m.

JUDICIARY

Convened: April 9, 1981, 8:00 a.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Doyle, Dreeszen, Lura, Ramsey, Taylor, Coleman (arrived 8:40 a.m.) and Deluhery (arrived 8:30 a.m.).

Members Absent: Carr, Murray and Small.

Final Bill Action: House File 154, a bill for an act relating to the notice given before commencing an action for forcible entry or detention of real property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3438.

Final Vote: Ayes, 9: DeKoster, Kudart, Rush, Baugher, Doyle, Dreeszen, Lura, Ramsey and Taylor. Nays, none. Absent or not voting, 5: Coleman, Deluhery, Carr, Murray and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 739, a bill for an act relating to the intestate succession rights of adopted persons, their natural parents, and adoptive parents.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3439.

Final Vote: Ayes, 10: DeKoster, Kudart, Rush, Baugher, Doyle, Deluhery, Dreeszen, Lura, Ramsey and Taylor. Nays, none. Absent or not voting, 4: Carr, Small, Murray and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; House File 8 failed recommendation for passage.

Adjourned: 9:15 a.m.

STATE GOVERNMENT

Convened: April 9, 1981, 3:00 p.m.

Members Present: Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins (arrived 3:10 p.m.), C. Miller, Palmer and Tieden.

Members Absent: Nystrom, Chairperson (excused) and Schwengels (excused).

Final Bill Action: House File 643, a bill for an act relating to strategy discussions by a governmental body in negotiating with employees of the governmental body who are not under a collective bargaining agreement.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, C. Miller, Palmer and Tieden. Nays, none. Absent or not voting, 3: Nystrom, Hutchins and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 773, a bill for an act relating to the penalty to be imposed on licensees who tender the department of beer and liquor control three or more insufficient funds checks within a twelve-month period for the purchase of alcoholic beverages.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lura, Slater, Briles, Carr, Craft, Drake, Gentleman, C. Miller, Palmer and Tieden. Nays, 1; Gallagher. Absent or not voting, 3: Nystrom, Hutchins and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned House File 749 to a subcommittee.

Adjourned: 3:20 p.m.

WAYS AND MEANS

Convened: April 9, 1981, 1:40 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Husak, Lura, Palmer, Priebe, Rush, Taylor and Van Gilst.

Members Absent: Hultman, Junkins and Ramsey.

Final Bill Action: Senate File 544, a bill for an act relating to the imposition of local option taxes by a city or county and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Craft, Readinger, Rodgers, Hester, Holden, Lura, Priebe, Rush, Taylor and Van Gilst. Nays, 2; Husak and Palmer. Absent or not voting 3: Hultman, Junkins and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 350, a bill for an act relating to the computation of interest on overpayments made under the individual income, corporate income and franchise taxes and providing for its effect upon publication for overpayments resulting from returns due on or after April 30, 1981.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Craft, Readinger, Rodgers, Hester, Holden, Husak, Palmer, Priebe, Rush, Taylor and Van Gilst. Nays, 1: Lura. Absent or not voting, 3: Hultman, Junkins and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees; deferred action on Senate File 401; Senate File 40 failed recommendation for passage.

Adjourned: 2:30 p.m.

PRESENTATION OF VISITORS

President Branstad welcomed the Honorable Kenneth Scott, former member of the House and Senate from Cerro Gordo County, who was present in the Senate gallery.

President Branstad welcomed the Honorable Duane E. Dewel, former member of the Senate from Kossuth County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five students from Le Mars Gehlen School, Le Mars, Iowa. Senator DeKoster.

Forty-four students from Emerson School, Indianola, Iowa, accompanied by Pat Johnson. Senator Van Gilst.

Thirty students from Rockwell-Swaledale High School, Rockwell, Iowa, accompanied by Jim Fredrickson. Senator Miller of Cerro Gordo.

Thirty students from Sully Christian School, Sully, Iowa, accompanied by Stanley W. Hoogeveen. Senator Brown.

Forty-five students from North High School, Sioux City, Iowa, accompanied by Larry Twait. Senators Carney and Doyle.

AMENDMENTS FILED

S—3433	S. F.	501	Lucas J. DeKoster Gary L. Baugher
S—3434	S. F.	434	A.R. (Bud) Kudart
S—3435	S. F.	506	Edgar H. Holden
S—3436	S. F.	506	Edgar H. Holden
S—3437	S. F.	508	John W. Jensen
S—3438	H.F.	154	Judiciary Committee
S—3439	H.F.	739	Judiciary Committee
S—3440	S. F.	321	Joe Brown
S—3441	S. F.	399	Donald V. Doyle Bass Van Gilst

S-3442	S. F.	511	Lucas J. DeKoster Donald V. Doyle
S-3443	S. F.	470	Gary L. Baugher
S-3444	S. F.	504	Joe Brown
S-3445	S. F.	470	Arthur A. Small, Jr.
S-3446	S. F.	321	Agriculture Committee
S-3447	S. F.	470	Arthur A. Small, Jr.
S-3448	S. F.	491	Sue Yenger Tom Slater Richard F. Drake
S-3449	S. F.	491	Bob Carr Lucas J. DeKoster
S-3450	H.F.	154	Patrick J. Deluhery
S-3451	S. F.	321	Joe Brown

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Friday, April 10, 1981.

JOURNAL OF THE SENATE

EIGHTY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 10, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend Calvin Rossman, pastor of the Stratford Lutheran Church, Stratford, Iowa,

The Journal of Thursday, April 9, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murray for the morning session on request of Senator Hultman and Senator Wells for the morning session on request of Senator Junkins.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that Senate Files 216, 382, 452, 494, 501, 515, 518, 526, 535 and 542 be immediately messaged to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate Concurrent Resolution 17.

Senate Concurrent Resolution 17

On motion of Senator Hultman, Senate Concurrent Resolution 17, a resolution providing for an Easter recess for the 1981 Session of the Sixty-ninth General Assembly, filed April 6, 1981, and found on page 1119 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of Senate Concurrent Resolution 17, which motion prevailed by a voice vote.

MOTION TO RECONSIDER WITHDRAWN**Senate File 393**

Senator Vande Hoef withdrew the motion to reconsider Senate File 393, a bill for an act relating to redemption and disposition of empty beverage containers and subjecting violators to a penalty, filed by him on April 9, 1981, and found on pages 1188-1189 of the Senate Journal.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Hultman asked and received unanimous consent to take up for out of order House Concurrent Resolution 16.

House Concurrent Resolution 16

On motion of Senator Hultman, House Concurrent Resolution 16, a resolution providing for a joint convention to be held on April 22, 1981 and inviting the Pioneer Lawmakers to present a program, filed March 24, 1981, and found on page 938 of the Senate Journal, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 16, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Concurrent Resolution 17** and **House Concurrent Resolution 16** be immediately messaged to the House.

**UNFINISHED BUSINESS
(Deferred April 8, 1981)****Senate File 532**

The Senate resumed consideration of Senate File 532, a bill for an act authorizing the Iowa family farm development authority to establish an additional loan program to beginning farmers and to issue limited obligations therefor and to amend and clarify certain other provisions of chapter 175, deferred on April 8, 1981.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 532) the vote was:

Ayes, 39:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Goodwin	Hester
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Yenger	

Nays, none.

Absent or not voting, 11:

Deluhery	Gallagher	Gentleman	Gratias
Holden	Kinley	Lura	Murray
Nystrom	Schwengels	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gallagher for the day on request of Senator Junkins.

CONSIDERATION OF BILLS (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 491.

Senate File 491

On motion of Senator Carr, Senate File 491, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions, was taken up for consideration.

Senator Rush offered amendment S—3428 filed by him on April 8, 1981, to page 2 of the bill.

Senator Rush asked and received unanimous consent that action on amendment S—3428 be deferred.

Senator Carr offered amendment S—3449 filed by Senators Carr and DeKoster on April 9, 1981, to pages 17 and 24 of the bill and moved its adoption.

Amendment S—3449 was adopted by a voice vote.

The Chair ruled amendment S—3326 filed by Senator DeKoster on April 1, 1981, to page 24 of the bill, out of order.

Senator Carr asked and received unanimous consent that **House File 804** be substituted for **Senate File 491**.

House File 804

On motion of Senator Carr, House File 804, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions, was taken up for consideration.

Senator Junkins asked and received unanimous consent that action on **House File 804** be deferred.

Senate File 511

On motion of Senator Doyle, Senate File 511, a bill for an act relating to the enforcement of judgment liens against homestead property and subsequently acquired property, to take effect January 1 following enactment, was taken up for consideration.

Senator DeKoster offered amendment S—3442 filed by Senators DeKoster and Doyle on April 9, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3442 was adopted by a voice vote.

Senator Doyle offered amendment S—3431 filed by him on April 8, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3431 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 511) the vote was:

Ayes, 38:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Goodwin	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Kudart	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Yenger		

Nays, none.

Absent or not voting, 12:

Craft	Gallagher	Gentleman	Gratias
Hester	Jensen	Kinley	Lura
Murray	Nystrom	Schwengels	Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that **Senate File 182** be referred from the Steering Calendar to the committee on **Agriculture**.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 254

On motion of Senator Waldstein, Senate File 254, a bill for an act to require state depository financial institutions to give written disclosure of all transactions on mortgage loan escrow accounts, with report of committee recommending passage, was taken up for consideration.

Senator Rush asked and received unanimous consent that action on **Senate File 254** be **deferred**.

CONSIDERATION OF BILL
(Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 470.

Senate File 470

On motion of Senator Small, Senate File 470, a bill for an act to require examinations for certain teachers, was taken up for consideration.

Senator Brown offered amendment S—3290 filed by him on March 31, 1981, to page 1 of the bill.

Senator Small called for a division of amendment S—3290: lines 2 through 9 as division S—3290A; lines 10 through 19 as division S—3290B.

Senator Brown moved the adoption of division S—3290A, which motion lost by a voice vote.

Senator Baugher offered amendment S—3443 filed by him on April 9, 1981, to division S—3290B and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3443 to division S—3290B be adopted?" (S.F. 470) the vote was:

Ayes, 13:

Baugher	Briles	Carney	Comito
Goodwin	Jensen	Junkins	Miller, A.V.
Ramsey	Rodgers	Slater	Van Gilst
Yenger			

Nays, 27:

Anderson	Bisenius	Brown	Carr
Coleman	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Hester
Hulse	Hultman	Husak	Hutchins
Kudart	Lura	Miller, C.P.	Palmer
Priebe	Readinger	Rush	Small
Taylor	Tieden	Vande Hoef	

Absent or not voting, 10:

Gallagher	Gentleman	Gratias	Holden
Kinley	Murray	Nystrom	Schwengels
Waldstein	Wells		

Amendment S—3443 lost.

Senator Brown moved the adoption of division S—3290B and requested a record roll call.

On the question “Shall division S—3290B be adopted?” (S.F. 470) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Baughner	Brown	Carr	Coleman
Craft	Dreeszen	Hester	Hutchins
Junkins	Kinley	Lura	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Ramsey
Rodgers	Tieden	Van Gilst	Yenger

Nays, 21:

Anderson	Bisenius	Briles	Carney
Comito	Deluhery	Doyle	Drake
Goodwin	Holden	Hulse	Hultman
Jensen	Kudart	Readinger	Rush
Slater	Small	Taylor	Vande Hoef
Waldstein			

Absent or not voting, 9:

DeKoster	Gallagher	Gentleman	Gratias
Husak	Murray	Nystrom	Schwengels
Wells			

Division S—3290B lost.

Senator Small offered amendment S—3445 filed by him on April 9, 1981, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3445 be adopted?” (S.F. 470) the vote was:

Ayes, 15:

Carr	DeKoster	Drake	Goodwin
Hultman	Hutchins	Kudart	Lura
Miller, A.V.	Ramsey	Rush	Slater
Small	Van Gilst	Waldstein	

Nays, 27:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Coleman	Comito
Craft	Deluhery	Doyle	Dreeszen
Hester	Holden	Hulse	Husak
Jensen	Junkins	Kinley	Miller, C.P.
Palmer	Readinger	Rodgers	Taylor
Tieden	Vande Hoef	Yenger	

Absent or not voting, 8:

Gallagher	Gentleman	Gratias	Murray
Nystrom	Priebe	Schwengels	Wells

Amendment S—3445 lost.

Senator Small offered amendment S—3447 filed by him on April 9, 1981, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3447 be adopted?" (S.F. 470) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Bisenius	Coleman	Comito	Craft
DeKoster	Deluhery	Drake	Dreeszen
Goodwin	Hester	Holden	Hulse
Hultman	Jensen	Junkins	Kudart
Ramsey	Readinger	Rush	Small
Taylor	Vande Hoef	Waldstein	

Nays, 20:

Anderson	Baughner	Briles	Brown
Carney	Carr	Doyle	Husak
Hutchins	Kinley	Lura	Miller, A.V.

Miller, C.P.
Slater

Palmer
Tieden

Priebe
Van Gilst

Rodgers
Yenger

Absent or not voting, 7:

Gallagher
Nystrom

Gentleman
Schwengels

Gratias
Wells

Murray

Amendment S—3447 was adopted.

Senator Baugher raised the point of order that with the adoption of amendment S—3447, a fiscal note should be required on Senate File 470.

The Chair ruled the point not well taken.

Senator Baugher offered amendment S—3461 filed by him from the floor to page 1 of the bill.

Senator Slater asked unanimous consent that action on amendment S—3461 be deferred.

Senator Slater withdrew his request.

Senator Small raised the point of order that amendment S—3461 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3461 out of order.

Senator Waldstein offered amendment S—3462 filed by him from the floor to page 1 of the bill.

Senator Small raised the point of order that amendment S—3462 was not germane to the bill.

Senator Waldstein asked and received unanimous consent to withdraw amendment S—3462.

Senator Slater asked and received unanimous consent that action on Senate File 470 be deferred.

BUSINESS PENDING

Senate File 254

The Senate resumed consideration of Senate File 254, previously deferred.

Senator Waldstein moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 254) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, C.P.
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Yenger			

Nays, none.

Absent or not voting, 9:

Gallagher	Gentleman	Gratias	Miller, A.V.
Murray	Nystrom	Schwengels	Small
Wells			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 321

On motion of Senator Drake, Senate File 321, a bill for an act relating to the fees and licenses issued by the department of agriculture, with report of committee on Agriculture recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—3446 filed by the committee on Agriculture on April 9, 1981, to strike everything after the enacting clause of the bill.

Senator Hutchins offered amendment S—3463 filed by Senators Taylor and Hutchins from the floor to pages 1, 2 and 3 of amendment S—3446.

Senator Briles asked unanimous consent that action on amendment S—3463 be deferred.

Senator Briles withdrew his request.

Senator Hutchins moved the adoption of amendment S—3463, which motion prevailed by a voice vote.

Senator Hester offered amendment S—3453 filed by him from the floor to page 8 of amendment S—3446 and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 8.

Amendment S—3453 was adopted.

With the adoption of amendment S—3453 to amendment S—3446, the Chair ruled amendment S—3460 filed by Senators Hester and Taylor from the floor to page 8 of amendment S—3446, out of order.

Senator Taylor offered amendment S—3454 filed by him from the floor to page 10 of amendment S—3446 and moved its adoption.

Amendment S—3454 was adopted by a voice vote.

Senator Brown offered amendment S—3451 filed by him on April 9, 1981, to pages 11 and 12 of amendment S—3446, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3451 be adopted?" (S.F. 321) the vote was:

Ayes, 29:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
Deluhery	Doyle	Drake	Dreeszen
Husak	Hutchins	Junkins	Kinley
Lura	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Ramsey	Rodgers	Rush
Slater	Small	Vande Hoef	Van Gilst
Yenger			

Nays, 13:

Carney	Craft	DeKoster	Goodwin
Hester	Holden	Hulse	Hultman
Jensen	Readinger	Taylor	Tieden
Waldstein			

Absent or not voting, 8:

Gallagher	Gentleman	Gratias	Kudart
Murray	Nystrom	Schwengels	Wells

Amendment S—3451 was adopted.

Senator Taylor offered amendment S—3452 filed by him from the floor to page 14 of amendment S—3446 and moved its adoption.

Amendment S—3452 was adopted by a voice vote.

(Senate File 321 and amendment S—3446, as amended, pending on adjournment.)

BILL REFERRED TO COMMITTEE

President Branstad announced that **House File 396** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 37.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Files 254, 393, 511 and 532** be immediately messaged to the House.

MOTION TO RECONSIDER WITHDRAWN

Senate File 300

Senator Holden withdrew the motion to reconsider Senate File 300, a bill for an act relating to the powers of banks with respect to the compensation of directors, permissible accounts and related charges, places of doing business, permissible investments, loan charges, contracts for data processing services, and cash reserve requirements, filed by him on March 23, 1981, and found on page 931 of the Senate Journal.

POINT OF ORDER

Senator Kinley asked unanimous consent that Senate File 487 be referred to the committee on Cities.

Objection was raised by Senator Ramsey.

Senator Junkins raised the point of order that the Chair should refer Senate File 487 to the committee on Cities under Senate Rule 37.

The Chair stated that he would take the point under advisement and would render his ruling on Monday morning, April 13, 1981.

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, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 816, a bill for an act regulating the offer and sale of business opportunities and providing penalties for violations.

ALSO: That the House has on April 7, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 821, a bill for an act relating to substance abuse programs.

PAT H. HARPER, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 816, a bill for an act regulating the offer and sale of business opportunities and providing penalties for violations.

Read first time and passed on file.

House File 821, a bill for an act relating to substance abuse programs by making changes in facility licensing and auditing requirements by abolishing the state advisory council on substance abuse, by allowing contracts for education and prevention services, by authorizing inspections, by extending operations of the Iowa department of substance abuse through 1983, by providing for a program evaluation of the department and providing penalties.

Read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 545, by Committee on Judiciary, a bill for an act to legalize the proceedings of the board of directors of the Fort Dodge community school district relating to a contract for repairs to real property.

Read first time and **placed on calendar.**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 458

Ways and Means
Hultman, Chairperson
Taylor
Husak

SENATE FILE 540

State Government
Briles, Chairperson
Tieden
C. Miller

SENATE RESOLUTION 12

Rules and Administration
Hultman, Chairperson
Jenkins
Holden

HOUSE FILE 588

Commerce
Craft, Chairperson
Jensen
Rush

HOUSE FILE 643

State Government
Craft, Chairperson
Gentleman
Slater

HOUSE FILE 749

State Government
Lura, Chairperson
Briles
Hutchins

HOUSE FILE 766

Energy
Briles, Chairperson
Ramsey
Gallagher
Readinger
Rodgers

SENATE FILE 475

Ways and Means
Hester, Chairperson
Taylor
Palmer

**SENATE CONCURRENT
RESOLUTION 16**

Rules and Administration
Hultman, Chairperson
Jenkins
Holden

HOUSE FILE 350

Ways and Means
Craft, Chairperson
Readinger
Rush

HOUSE FILE 632

Natural Resources
Schwengels, Chairperson
Tieden
Hutchins

HOUSE FILE 747

Judiciary
Ramsey, Chairperson
Rush
DeKoster
Doyle
Kudart

HOUSE FILE 762

Judiciary
Carr, Chairperson
Lura
Dreeszen

HOUSE FILE 767

Judiciary
Ramsey, Chairperson
Carr
Kudart

HOUSE FILE 771

Commerce
 Holden, Chairperson
 DeKoster
 Husak

HOUSE FILE 787

Judiciary
 Doyle, Chairperson
 Dreeszen
 Coleman

SSB 392

Ways and Means
 Hester, Chairperson
 Rush
 Holden

SSB 394

Ways and Means
 Priebe, Chairperson
 Lura
 Readinger

HOUSE FILE 773

State Government
 Drake, Chairperson
 Craft
 Carr

HOUSE FILE 789

Labor and Industrial Relations
 Carney, Chairperson
 Goodwin
 Wells

SSB 393

Ways and Means
 Palmer, Chairperson
 Lura
 Hester

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3447 to Senate File 470 was adopted by the Senate on April 10, 1981.

PATRICK J. DELUHERY

STUDY BILL RECEIVED**S.S.B. 401 Appropriations**

Appropriating funds to state agencies for designated service programs including health programs, substance abuse programs, civil rights, parole services, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983.

PROOF OF PUBLICATION

Published copy of Senate File 545 and verified proof of publication of said bill in The Messenger, a newspaper published in Fort Dodge, Iowa, on April 3, 1981, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Thursday, April 9, 1981, when the final vote was taken on Senate File 542.

Had I been present, I would have voted "aye" on this bill.

MERLIN D. HULSE

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

S.F. 545
S.F. 533
S.F. 527
S.F. 440
S.F. 487
H.F. 413
H.F. 740
H.F. 565
H.F. 157
H.F. 466
H.F. 572
H.F. 303
H.F. 371
H.F. 509
H.F. 737
H.F. 588

CALVIN O. HULTMAN, Chairperson

REPORT OF COMMITTEE

TRANSPORTATION

Final Bill Action: House File 756, a bill for an act relating to nonresident exemptions from the state motor vehicle licensing requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Drake, Jensen, Coleman, Bisenius, Comito, Doyle, Hutchins and A. Miller. Nays, none. Absent or not voting, 2: Murray and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on page 990 of the Senate Journal.

Final Bill Action: Senate File 545, a bill for an act to legalize the proceedings of the board of directors of the Fort Dodge community school district relating to a contract for repairs to real property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Ramsey and Taylor. Nays, 2: DeKoster and Murray. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORT OF COMMITTEE MEETING

LABOR AND INDUSTRIAL RELATIONS

Convened: April 9, 1981, 8:47 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Anderson, Ranking Member; Goodwin, Hultman, Wells and Kinley.

Members Absent: Brown and Gratias (excused).

Other Committee Business: Assigned House File 789 to subcommittee.

Adjourned: 8:48 a.m.

PRESENTATION OF VISITORS

President Branstad welcomed the Honorable Marion Berry, Mayor of Washington, D.C., who was present in the Senate chamber as the guest of Senator Kinley.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-eight students, members of the Clayton, Fayette, Delaware, Jackson and Dubuque Counties 4-H programs, accompanied by Banks Doggett, Jr. Senators Craft, Bisenius, Carr, Tieden and Hulse.

AMENDMENTS FILED

S-3452	S. F.	321	Ray Taylor
S-3453	S. F.	321	Jack W. Hester
S-3454	S. F.	321	Ray Taylor
S-3455	S. F.	399	Bass Van Gilst Bob Carr
S-3457	H.F.	804	Bob Rush
S-3458	H.F.	804	Sue Yenger Tom Slater Richard F. Drake
S-3459	H.F.	754	Richard F. Drake
S-3460	S. F.	321	Jack W. Hester Ray Taylor
S-3461	S. F.	470	Gary L. Baugher
S-3462	S. F.	470	Arne Waldstein
S-3463	S. F.	321	Ray Taylor C.W. Bill Hutchins
S-3464	H.F.	740	Richard F. Drake
S-3465	S. F.	470	Gary L. Baugher
S-3466	S. F.	399	Bob Carr
S-3467	S. F.	544	Rolf V. Craft

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

H.F.	503	Judiciary
H.F.	781	Judiciary
H.F.	782	State Government
H.F.	783	State Government
H.F.	784	Human Resources
H.F.	788	Human Resources
H.F.	795	Agriculture
H.F.	801	Judiciary
H.F.	826	State Government
H.F.	828	State Government

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 12:10 p.m., until 10:00 a.m., Monday, April 13, 1981.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 13, 1981

The Senate met in regular session at 10:06 a.m., President Branstad presiding.

Prayer was offered by the Reverend G. John Bosma, pastor of the Bethel Christian Reformed Church, Oskaloosa, Iowa.

The Journal of Friday, April 10, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Beckman, M.D., Kalona, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Yenger for the day on request of Senator Hultman.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 18
By: Readinger, Comito and Miller of Cerro Gordo

- 1 *Whereas*, chapter 400, relating to civil service
- 2 for cities, was not revised in the legislation passed
- 3 to implement the city home rule amendment and has not

4 been examined and revised for many years; and
 5 *Whereas*, problems relating to chapter 400 have
 6 arisen in many cities; and
 7 *Whereas*, the citizens' aide has issued critical
 8 reports in regard to the chapter; and
 9 *Whereas*, the league of Iowa municipalities has
 10 proposed legislation to revise chapter 400, which
 11 proposal was introduced as Senate File 354, but was
 12 not passed out of committee; and
 13 *Whereas*, this subject is important to every Iowa
 14 city of over 8000 population; *Now Therefore*,
 15 *Be It Resolved by the Senate, the House Concurring*,
 16 That the legislative council is urged to establish
 17 a joint subcommittee composed of members of both
 18 political parties on the senate and house committees
 19 on cities to conduct a study during the 1981 interim
 20 of civil service for cities; and
 21 *Be It Further Resolved*, That the joint subcommittee
 22 consider chapter 400, the proposals contained in
 23 Senate File 354, and other proposals offered by persons
 24 knowledgeable in city government which relate to city
 25 civil service and personnel policies; and
 26 *Be It Further Resolved*, That the Joint subcommittee be
 27 required to submit a report of its conclusions and
 28 recommendations including bill drafts to implement its
 29 recommendations to the legislative council and to the
 30 general assembly meeting in 1982.

Read first time and **passed on file.**

RULING ON POINT OF ORDER (Raised April 10, 1981)

Pertaining to the point of order raised by Senator Junkins on April 10, 1981, that the Chair should refer Senate File 487 to the committee on Cities under Senate Rule 37, the Chair ruled the point not well taken because Senate File 487 came out of the committee on Energy on March 26, 1981, and was placed on the calendar at that time. Subsequent to that time, it had been discussed on points of personal privilege on the floor. The bill also came out of the Steering Committee and is on the Steering Calendar.

A similar bill was originally assigned to the committee on Cities. That was a judgment call on the part of the Chair as a case could be made for assigning the bill to Cities, Energy or Transportation. Rule 37 gives the Chair the power to reassign bills if he feels that it

is not germane to the committee that brought it out. This is a discretionary matter with the Chair, as the rule clearly says the Chair "may" rather than the Chair "shall".

The Chair feels that it would not be fair to reassign the bill at this time as it would have the effect of killing the bill. It has been on the calendar for some time and it has emerged from the Steering Committee and the Chair, in exercising his discretion, chooses not to reassign the bill.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 482

Senator Gentleman withdrew the motion to reconsider Senate File 482, a bill for an act providing for compensation to owners of advertising devices and lessors of property upon which advertising devices are located when the advertising device is removed or taken by the state or a political subdivision of the state, filed by her on April 7, 1981, and found on page 1134 of the Senate Journal.

Senator Jensen withdrew the motion to reconsider Senate File 482, filed by him on April 7, 1981, and found on page 1152 of the Senate Journal.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 533.

Senate File 533

On motion of Senator Lura, Senate File 533, a bill for an act relating to administrative positions within the department of social services, was taken up for consideration.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 533) the vote was:

Ayes, 48:

Anderson
Brown

Baughner
Carney

Bisenius
Carr

Briles
Coleman

Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 2:

Hulse Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 8, 1981)

Senate File 399

The Senate resumed consideration of Senate File 399, a bill for an act relating to revision of laws governing recreational boating in Iowa, including penalties and scheduled fines for violations of boating laws, deferred April 8, 1981.

Senator Murray offered amendment S—3254 filed by him on March 26, 1981, to pages 8, 11 and 18 of the bill and called for a division of the amendment: Page 1, lines 2 through 22 and page 2, lines 47 and 48 as division S—3254A; page 1, lines 23 through 50 and page 2, lines 1 through 46 as division S—3254B.

Senator Murray offered amendment S—3429 filed by him on April 8, 1981, to division S—3254A and moved its adoption.

Amendment S—3429 was adopted by a voice vote.

Senator Carr called for a further division of amendment S—3254 as follows:

Division S—3254A as amended: page 1, lines 14 through 22 and page 2, lines 47 and 48.

Division S—3254B: page 1, lines 23 through 50 and page 2, lines 1 through 46.

Division S—3254C: page 1, lines 2 through 13.

Senator Murray called for a further division of amendment S—3254 as follows:

Division S—3254A as amended: page 1, lines 14 through 22.

Division S—3254B: page 1, lines 23 through 50 and page 2, lines 1 through 46.

Division S—3254C: page 1, lines 2 through 13.

Division S—3254D: page 2, lines 47 and 48.

Senator Murray moved the adoption of division S—3254A as amended.

A record roll call was requested.

On the question “Shall division S—3254A as amended be adopted?” (S.F. 399) the vote was:

Ayes, 16:

Brown	Carney	DeKoster	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Jensen	Kudart	Miller, A.V.	Murray
Nystrom	Small	Vande Hoef	Waldstein

Nays, 29:

Anderson	Baughner	Bisenius	Carr
Coleman	Comito	Deluhery	Doyle
Drake	Gratias	Holden	Husak
Hutchins	Junkins	Kinley	Lura
Miller, C.P.	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Van Gilst
Wells			

Absent or not voting, 5:

Briles	Craft	Hulse	Hultman
Yenger			

Division S—3254A as amended lost.

Senator Murray withdrew division S—3254B.

Senator Murray moved the adoption of division S—3254C.

A non record roll call was requested.

The ayes were 18, nays 27.

Division S—3254C lost.

Senator Murray withdrew division S—3254D.

Senator Carr offered amendment S—3472 filed by him from the floor to page 10 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—3472 lost.

Senator Gentleman offered amendment S—3430 filed by her on April 8, 1981, to pages 10 and 12 of the bill and moved its adoption.

Amendment S—3430 lost by a voice vote.

Senator Priebe offered amendment S—3432 filed by Senators Priebe and DeKoster on April 8, 1981, to page 11 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3432 be adopted?" (S.F. 399) the vote was:

Ayes, 38:

Anderson	Baughner	Bisenius	Brown
Carr	Coleman	Comito	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Goodwin	Gratias	Holden
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lura	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, 9:

Carney	Craft	Gentleman	Hester
Kudart	Murray	Schwengels	Slater
Van Gilst			

Absent or not voting, 3:

Briles	Hultman	Yenger
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Amendment S—3432 was adopted.

Senator Van Gilst offered amendment S—3455 filed by Senators Van Gilst and Carr on April 10, 1981, to page 14 of the bill and moved its adoption.

Amendment S—3455 was adopted by a voice vote.

Senator Carr offered amendment S—3473 filed by him from the floor to page 14 and the title page of the bill and called for a division of the amendment: lines 2 and 3 as division S—3473A; lines 4 through 8 as division S—3473B.

Senator Carr moved the adoption of division S—3473A and requested a non record roll call.

The ayes were 13, nays 24.

Division S—3473A lost.

Senator Carr withdrew division S—3473B.

Senator Carr offered amendment S—3471 filed by Senators Carr and Gentleman from the floor to page 16 of the bill.

Senator Van Gilst asked and received unanimous consent that action on amendment S—3471 be deferred.

Senator Carr offered amendment S—3466 filed by him on April 10, 1981, to page 17 of the bill and moved its adoption.

Amendment S—3466 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that action on **Senate File 399** and amendment S—3471 be **deferred**.

CONSIDERATION OF BILL
(Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 545.

Senate File 545

On motion of Senator Coleman, Senate File 545, a bill for an act to legalize the proceedings of the board of directors of the Fort Dodge community school district relating to a contract for repairs to real property, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 545) the vote was:

Ayes, 39:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Ramsey	Readinger	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, 8:

Craft	DeKoster	Deluhery	Holden
Murray	Priebe	Rodgers	Rush

Absent or not voting, 3:

Briles	Gallagher	Yenger
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:00 noon, until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:05 p.m., Senator Carney presiding.

INTRODUCTION OF RESOLUTIONS

SENATE RESOLUTION 13

By: Gentleman

- 1 *Whereas*, less than forty years ago six million Jews
2 were murdered in the Nazi Holocaust as part of a
3 systematic program of genocide, and millions of other
4 people suffered as victims of Nazism; and
5 *Whereas*, the people of Iowa should remember the
6 atrocities committed by the Nazis so that such acts will
7 never be repeated; and
8 *Whereas*, the people of this state should rededicate
9 themselves to the principle of equal justice for all
10 people and should remain eternally vigilant against
11 all tyranny and recognize that bigotry provides a breed-
12 ing ground for tyranny; and
13 *Whereas*, April 30 has been designated pursuant to an
14 Act of Congress and internationally as a Day of Remembrance
15 of Victims of the Nazi Holocaust, known as Yom Hashoah;
16 and
17 *Whereas*, it is appropriate for the people of Iowa to
18 join in the national and international commemoration;
19 *Now Therefore*,
20 *Be It Resolved by the Senate*, That in memory of the
21 victims of the Holocaust and in the hope that Iowans
22 will strive to overcome prejudice and inhumanity through
23 vigilance and resistance, the week of April 26 through
24 May 2, 1981 is recognized as the Days of Remembrance of
25 the Victims of the Holocaust.

Read first time and **passed on file**.

SENATE CONCURRENT RESOLUTION 19

By: Gentleman

- 1 *Whereas*, Acts of the Sixty-seventh General Assembly,
2 1978 Session, chapter 1191, established and funded a
3 citizens privacy task force; and
4 *Whereas*, the citizens privacy task force made its
5 report to the general assembly in January of 1980;
6 and
7 *Whereas*, House File 152 and Senate File 386 have
8 been introduced during this session which contain the

9 recommendations of the citizens privacy task force;
10 and
11 *Whereas*, several other bills have been presented
12 to the senate and house of representatives relating
13 to juvenile and criminal records, public records,
14 and open meetings which affect issues of privacy; and
15 *Whereas*, the general assembly would be well served
16 by a comprehensive examination of the issues of
17 privacy instead of doing so on a piecemeal basis;
18 *Now Therefore*;
19 *Be It Resolved by the Senate, the House Concurring*,
20 That the legislative council is authorized to establish
21 a study during the legislative interim to examine the
22 recommendations of the citizens privacy task force
23 regarding changes in the statutes relating to privacy
24 and to make recommendations to the 1982 session of
25 the Sixty-ninth General Assembly.

Read first time and **passed on file**.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 533** be immediately messaged to the House.

CONSIDERATION OF BILL (Steering Calendar)

Senate File 503

On motion of Senator Schwengels, Senate File 503, a bill for an act relating to procedures to be followed by drainage districts, was taken up for consideration.

Senator Schwengels moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 503) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, 1:

Rush

Absent or not voting, 1:

Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 399

The Senate resumed consideration of Senate File 399 and amendment S—3471 by Senators Carr and Gentleman, previously deferred.

Senator Tieden asked and received unanimous consent to withdraw amendment S—3476 filed by Senators Tieden, et al., from the floor to page 10 of the bill.

Senator Hutchins offered amendment S—3477 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—3477 was adopted by a voice vote.

Senator Van Gilst offered amendment S—3478 filed by Senators DeKoster and Van Gilst from the floor to page 16 of the bill and moved its adoption.

Amendment S—3478 was adopted by a voice vote.

Senator Hutchins withdrew amendment S—3475 filed by him from the floor to pages 13 and 15 of the bill.

Senator Carr asked and received unanimous consent to withdraw amendment S—3471 to page 16 of the bill, previously deferred.

Senator Doyle offered amendment S—3441 filed by Senators Doyle and Van Gilst on April 9, 1981, to page 19 of the bill and moved its adoption.

Amendment S—3441 was adopted by a voice vote.

Senator Van Gilst moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 399) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Anderson	Bisenius	Briles	Brown
Carney	Craft	DeKoster	Deluhery
Drake	Dreeszen	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Miller, A.V.	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst

Nays, 21:

Baughner	Carr	Coleman	Comito
Doyle	Gallagher	Gentleman	Husak
Hutchins	Junkins	Kinley	Lura
Miller, C.P.	Palmer	Priébe	Rodgers
Rush	Slater	Small	Waldstein
Wells			

Absent or not voting, 1:

Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Pending April 10, 1981)

Senate File 321

The Senate resumed consideration of Senate File 321, a bill for an act relating to the fees and licenses issued by the department of agriculture, and amendment S—3446 as amended by the committee on Agriculture, pending on April 10, 1981.

President Branstad took the chair at 2:45 p.m.

Senator Junkins raised the point of order that Senate File 321 be referred to the committee on Ways and Means under Senate Rule 37.

The Chair ruled the point not well taken.

Senator Taylor moved the adoption of amendment S—3446 as amended to strike everything after the enacting clause of the bill.

A record roll call was requested.

On the question "Shall amendment S—3446 as amended be adopted?" (S.F. 321) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Bisenius	Carney	Carr	Craft
DeKoster	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Ramsey	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 19:

Anderson	Baughner	Briles	Brown
Coleman	Comito	Deluhery	Doyle
Holden	Husak	Kinley	Miller, C.P.
Palmer	Priebe	Readinger	Rodgers
Rush	Slater	Small	

Absent or not voting, 1:

Yenger

Amendment S—3446 as amended was adopted.

With the adoption of amendment S—3446 as amended, the Chair ruled the following amendments out of order:

S—3137 filed by Senator Drake on March 5, 1981, to pages 1 and 23 of the bill.

S—3138 filed by Senator Drake on March 5, 1981, to page 9 of the bill.

S—3146 filed by Senator Drake on March 6, 1981, to pages 6 and 23 of the bill.

S—3314 filed by the committee on Agriculture on April 1, 1981, to page 1 of the bill.

S—3440 filed by Senator Brown on April 9, 1981, to pages 22 and 23 of the bill.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 321) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bisenius	Carney	Craft	DeKoster
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Murray	Nystrom
Ramsey	Readinger	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	Yenger

Nays, 25:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Comito	Deluhery
Doyle	Drake	Gallagher	Husak
Hutchins	Junkins	Kinley	Lura

Miller, A.V.
Rodgers
Wells

Miller, C.P.
Rush

Palmer
Slater

Priebe
Van Gilst

Absent or not voting, 1:

Small

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 321 failed to pass the Senate on April 13, 1981.

RICHARD F. DRAKE

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 370.

Senate File 370

On motion of Senator Gentleman, Senate File 370, a bill for an act reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services, with report of committee on State Government recommending passage, was taken up for further consideration.

Senator Carney took the chair at 3:20 p.m.

Senator Hulse called up the motion to reconsider the vote by which amendment S—3295 was adopted by the Senate on April 1, 1981, filed by him on April 6, 1981, found on page 1121 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 24.

The motion prevailed and amendment S—3295 as amended by Senators Yenger, et al., to strike everything after the enacting clause and to the title page of the bill, was taken up for reconsideration.

Senator Junkins asked and received unanimous consent that action on **Senate File 370** and amendment S—3295 as amended be **deferred**.

UNFINISHED BUSINESS
(Deferred April 9, 1981)

Senate File 450

The Senate resumed consideration of Senate File 450, a bill for an act relating to financial responsibility for boating accidents and providing a penalty, and amendment S—3263 by Senator Hutchins to page 1 of the bill, deferred on April 9, 1981.

Senator Tieden offered amendment S—3469 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3469 was adopted by a voice vote.

Senator Ramsey asked and received unanimous consent that further action on **Senate File 450** and amendment S—3263 be **deferred**.

UNFINISHED BUSINESS
(Deferred April 9, 1981)

Senate File 506

The Senate resumed consideration of Senate File 506, a bill for an act redefining the types of projects for which industrial revenue bonds may be issued under chapter 419 for the purpose of including facilities to be used for the sanitary disposal for recycling of solid waste and providing for its effect upon publication, deferred on April 9, 1981.

President Branstad took the chair at 4:20 p.m.

Senator Readinger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 506) the vote was:

Ayes, 31:

Anderson

Bisenius

Briles

Carney

Coleman	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Miller, A.V.	Murray
Nystrom	Priebe	Readinger	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Yenger	

Nays, 18:

Baughner	Brown	Carr	Comito
Craft	DeKoster	Deluhery	Hester
Junkins	Kinley	Kudart	Lura
Palmer	Ramsey	Rodgers	Rush
Small	Waldstein		

Absent or not voting, 1:

Miller, C.P.

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 (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 440.

Senate File 440

On motion of Senator Drake, Senate File 440, a bill for an act authorizing the use of railroad assistance funds for the restoration, conservation, and improvement of railroad main lines, switching yards, and sidings and providing funds, was taken up for consideration.

Senator Drake offered amendment S—3375 filed by him on April 3, 1981, to pages 1 and 2 of the bill.

Senator Drake asked and received unanimous consent that action on **Senate File 440** and amendment S—3375 be **deferred**.

Senate File 487

On motion of Senator Briles, Senate File 487, a bill for an act allowing the operation of golf carts on the streets of cities of less than five thousand population, was taken up for consideration.

Senator Ramsey offered amendment S—3358 filed by Senators Ramsey and Drake on April 2, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3358 was adopted by a voice vote.

Senator Kinley asked and received unanimous consent that action on **Senate File 487** be **deferred**.

Senate File 527

On motion of Senator Taylor, Senate File 527, a bill for an act relating to a custodial parent's, custodial guardian's, or custodian's liability for unlawful acts of a child and to victim restitution under the juvenile justice law, was taken up for consideration.

Senator Doyle offered amendment S—3291 filed by Senators Doyle, DeKoster and Murray on March 31, 1981, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3291 was adopted by a voice vote.

With the adoption of amendment S—3291, the Chair ruled amendment S—3296 filed by Senator Murray on March 31, 1981, to page 1 and the title page of the bill, out of order.

Senator Taylor offered amendment S—3382 filed by him on April 6, 1981, to page 1 of the bill.

Senator Murray called for a division of amendment S—3382: lines 2 through 22 as division S—3382A; lines 23 through 27 as division S—3382B.

Senator Rush raised the point of order that division S—3382A was not germane to the bill.

The Chair ruled the point not well taken and division S—3382A in order.

Senator Murray asked and received unanimous consent that action on division S—3382A be deferred.

Senator Taylor moved the adoption of division S—3382B and requested a record roll call.

On the question "Shall division S—3382B be adopted?" (S.F. 527) the vote was:

Ayes, 18:

Baughner	Bisenius	Briles	Drake
Gratias	Hultman	Jensen	Kudart
Lura	Nystrom	Priebe	Ramsey
Rodgers	Rush	Schwengels	Taylor
Tieden	Vande Hoef		

Nays, 31:

Anderson	Brown	Carney	Carr
Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Dreeszen	Gallagher
Gentleman	Goodwin	Hester	Holden
Hulse	Husak	Hutchins	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Murray
Palmer	Readinger	Slater	Small
Waldstein	Wells	Yenger	

Absent or not voting, 1:

Van Gilst

Division S—3382B lost.

Senator Hultman asked and received unanimous consent that action on **Senate File 527** and division S—3382A be **deferred**.

BUSINESS PENDING

Senate File 440

The Senate resumed consideration of Senate File 440 and amendment S—3375 by Senator Drake, previously deferred.

Senator Priebe offered amendment S—3485 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 43, nays 4.

Amendment S—3485 was adopted.

Senator Drake moved the adoption of amendment S—3375 to pages 1 and 2 of the bill, which motion prevailed by a voice vote.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 440) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Yenger

Nays, 1:

Lura

Absent or not voting, 1:

Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate Files 399, 440 and 545** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1981, passed the following bills in which the concurrence of the Senate is asked:

House File 738, a bill for an act relating to the permissive catch and size limits of fish.

This bill was read first time and **passed on file**.

House File 786, a bill for an act permitting the county board of supervisors to classify secondary roads on the area service system to provide for a reduced level of maintenance on some of these roads.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

SENATE CONCURRENT RESOLUTION 20

By: Committee on Human Resources

1 *Whereas*, the responsibility for funding, service
2 delivery, and administration of governmental programs
3 designed to benefit elderly persons is distributed
4 among many federal, state, and local agencies; and

5 *Whereas*, the various governmental programs have
6 different eligibility requirements, are directed at
7 different segments of the elderly population, and
8 therefore frequently overlap one another; and

9 *Whereas*, the elderly services study committee
10 established in 1979 made significant progress in
11 analyzing the current elderly services system, pro-
12 posing a framework for future coordination, establish-
13 ing a data base, and developing a service classifica-
14 tion system; and

15 *Whereas*, additional study is necessary to begin
16 legislative and executive implementation of the
17 coordination of elderly services; *Now Therefore*,

18 *Be It Resolved by the Senate, the House Concurring*,
19 That the legislative council is requested to authorize
20 an interim study by a joint committee consisting of
21 members of the standing committees on human resources,
22 the joint human resources appropriations subcommittee,
23 and the joint social services appropriations subcommittee
24 of the senate and the house of representatives to study
25 the coordination of elderly services and the implementa-
26 tion of any recommendations of the committee; and

27 *Be It Further Resolved*, That the interim committee
28 report its findings and recommendations to the legislative
29 council and the members of the general assembly meeting
30 in the year 1982 along with any proposed legislation

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- 1 designed to implement the interim committee's
- 2 recommendations.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 21

By: Committee on Human Resources

- 1 *Whereas*, the Iowa chronic renal disease program was
- 2 established within the state department of health in
- 3 1972; and
- 4 *Whereas*, the original appropriation in fiscal year
- 5 1973 was \$30,000, but has grown steadily so that the
- 6 total program budget was over \$1,000,000 in 1980; and
- 7 *Whereas*, the program evaluation division of the
- 8 legislative fiscal bureau completed an exhaustive
- 9 study of the policies, procedures, and financial
- 10 control mechanisms of the chronic renal disease program;
- 11 and
- 12 *Whereas*, the program evaluation division made
- 13 several recommendations to the state department of
- 14 health concerning the adoption of administrative
- 15 rules, the reduction of program costs program compliance
- 16 with state law, and adjustments in staff assignments;
- 17 and
- 18 *Whereas*, the program evaluation division made
- 19 several recommendations to the general assembly
- 20 concerning the appropriation to the state department
- 21 of health for the program, the elimination of obsolete
- 22 and unclear statutory language, and the establishment
- 23 of a joint interim study committee of the standing
- 24 committees on human resources of the senate and the
- 25 house of representatives; *Now Therefore*,
- 26 *Be It Resolved by the Senate, the House Concurring*,
- 27 That the legislative council is requested to authorize
- 28 an interim study by a joint committee consisting of
- 29 members of the standing committees on human resources
- 30 of the senate and the house of representatives to

Page 2

- 1 develop and draft legislation concerning the purposes
- 2 and goals of the chronic renal disease program, the
- 3 composition and authority of the renal disease advisory
- 4 committee, the specific types of services eligible for
- 5 financial assistance, program priorities in specific
- 6 service areas, and other programmatic aspects of the
- 7 program; and

8 *Be It Further Resolved*, That the interim committee
9 report its findings and recommendations to the legis-
10 lative council and the members of the general assembly
11 meeting in the year 1982 along with any proposed legis-
12 lation designed to implement the interim committee's
13 recommendations.

Read first time and placed on calendar.

APPENDIX

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 503 passed the Senate on April 13, 1981.

BERL E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 503 passed the Senate on April 13, 1981.

ARNE WALDSTEIN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 506 passed the Senate on April 13, 1981.

JAMES V. GALLAGHER

STUDY BILL RECEIVED

S.S.B. 402 State Government

Relating to a statewide system for voluntary certification of persons engaging certain electrical work and certain plumbing work.

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

H.F.	816	Judiciary
H.F.	821	State Government

REPORTS OF COMMITTEE MEETINGS

CITIES

Convened: April 13, 1981, 9:30 a.m.

Members Present: Readinger, Chairperson; A. Miller, Ranking Member; Slater, Carney and Wells.

Members Absent: Comito, Vice Chairperson; Kinley, Waldstein and Holden.

Final Bill Action: House File 757, a bill for an act relating to easements for certain sewer, water, or gas or power line within a city.

Recommendation: DO PASS.

Final Vote: Ayes, 5; Readinger, A. Miller, Carney, Slater and Wells. Nays, none. Absent or not voting, 4: Comito, Kinley, Waldstein and Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 764, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, and taking effect upon publication.

Recommendation: DO PASS.

Final Vote: Ayes, 5; Readinger, A. Miller, Carney, Slater and Wells. Nays, none. Absent or not voting, 4: Comito, Kinley, Waldstein and Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Committee requested the Legislative Service Bureau to draft a resolution to combine the Cities and County Government Committees into a local Government Committee for the next biennium.

Adjourned: 9:35 a.m.

COMMERCE

Convened: April 13, 1981, 1:00 p.m.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Comito, Craft, DeKoster, Husak, Jensen and Priebe.

Members Absent: Deluhery, Ranking Member and Rush.

Final Bill Action: House File 790, a bill for an act relating to the time the lien for rates or charges for utility services attaches.

Recommendation: DO PASS.

Final Vote: Ayes, 8; Holden, Baugher, Comito, Craft, DeKoster, Husak, Jensen and Priebe. Nays, none. Absent or not voting, 2: Deluhery and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:20 p.m.

HUMAN RESOURCES

Convened: April 13, 1981, 1:17 p.m.

Members Present: Gentleman, Chairperson; C. Miller, Ranking Member; Carr, Coleman (arrived 1:34 p.m.), Drake, Gratias, Hulse, A. Miller, Nystrom (arrived 1:22 p.m.) and Slater.

Members Absent: Yenger, Vice Chairperson (excused) and Vande Hoef.

Final Bill Action: Senate Concurrent Resolution 20, a resolution requesting an interim study by a joint committee of members of standing committees on Human Resources, Human Resources Appropriations Subcommittees and Social Services Appropriations subcommittee to study coordination of elderly services.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Gentleman, C. Miller, Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom and Slater. Nays, none. Absent or not voting, 2: Yenger and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate Concurrent Resolution 21, a resolution requesting interim study by joint committee of members of standing committees on Human Resources to develop and draft legislation concerning the renal disease program.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Gentleman, C. Miller, Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom and Slater. Nays, none. Absent or not voting, 2: Yenger and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 641, a bill for an act providing for the establishment and operation of forestry nurseries by the director of adult corrections on state owned land under the control of the department of social services.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gentleman, C. Miller, Carr, Drake, Gratias, Hulse, A. Miller, Nystrom and Slater. Nays, none. Absent or not voting, 3: Yenger, Coleman and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:44 p.m.

NATURAL RESOURCES

Convened: April 8, 1981, 8:05 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tieden, Gallagher and Rodgers.

Members Absent: Hutchins.

Final Bill Action: House File 632, a bill for an act to require a permit for drilling operations for metallic minerals exploration.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3481.

Final Vote: Ayes, 8: Schwengels, Goodwin, Van Gilst, Gentleman, Kudart, Tieden, Gallagher and Rodgers. Nays, none. Absent or not voting, 1; Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 8:15 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty students from Belle Plaine High School, Belle Plaine, Iowa, accompanied by Bob Delacey. Senator Husak.

AMENDMENTS FILED

S—3468	S. F.	130	House Amendment
S—3469	S. F.	450	Dale L. Tieden
S—3470	H.F.	804	Rolf V. Craft Richard F. Drake
S—3471	S. F.	399	Bob Carr Julia Gentleman
S—3472	S. F.	399	Bob Carr
S—3473	S. F.	399	Bob Carr

S-3474	H.F.	572	Edgar H. Holden
S-3475	S.F.	399	C.W. Bill Hutchins
S-3476	S.F.	399	Dale L. Tieden Berl E. Priebe Ray Taylor Emil J. Husak Edgar H. Holden
S-3477	S.F.	399	C.W. Bill Hutchins
S-3478	S.F.	399	Lucas J. DeKoster Bass Van Gilst
S-3479	H.F.	804	Bob Carr
S-3480	H.F.	828	John S. Murray
S-3481	H.F.	632	Natural Resources Committee
S-3482	S.F.	370	Tom Slater
S-3483	S.F.	487	David M. Readinger William D. Palmer Gary L. Baugher Charles P. Miller George R. Kinley Alvin V. Miller Richard F. Drake Bob Carr Richard Comito Bob Rush
S-3484	S.F.	487	C.W. Bill Hutchins
S-3485	S.F.	440	Berl E. Priebe
S-3486	S.F.	527	John S. Murray
S-3487	S.F.	370	Tom Slater Sue Yenger

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Tuesday, April 14, 1981.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 14, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend Chet Davis, pastor of the First United Methodist Churches, Toledo and Chelsea, Iowa.

The Journal of Monday, April 13, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Keith Garber, M.D., Corydon, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the morning session on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1981, passed the following bills in which the concurrence of the Senate is asked:

House File 802, a bill for an act relating to gifts allowed under the uniform gifts to minors Act.

This bill was read first time and **passed on file**.

House File 822, a bill for an act relating to the administration of small estates.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 13, 1981, passed the following bills in which the concurrence of the Senate is asked:

House File 444, a bill for an act relating to the payment of state aid for pupils previously enrolled in a laboratory school.

This bill was read first time and **passed on file**.

House File 807, a bill for an act to include classes offered by area schools as eligible for supplementary weighting.

This bill was read first time and **passed on file**.

House File 834, a bill for an act relating to office hours for county offices.

This bill was read first time and **passed on file**.

House File 836, a bill for an act relating to honoring county warrants.

This bill was read first time and **passed on file**.

House File 837, a bill for an act to repeal the requirement that a county recorder retain a copy of a declaration of value for public inspection.

This bill was read first time and **passed on file**.

UNFINISHED BUSINESS
(Deferred April 13, 1981)

Senate File 527

The Senate resumed consideration of Senate File 527, a bill for an act relating to a custodial parent's, custodial guardian's, or custodian's liability for unlawful acts of a child and to victim restitution under the juvenile justice law, and division S—3382A by Senator Taylor to page 1 of the bill, deferred on April 13, 1981.

Senator Murray offered amendment S—3486 filed by him on April 13, 1981, to division S—3382A and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3486 to division S—3382A be adopted?" (S.F. 527) the vote was:

Ayes, 35:

Anderson	Brown	Carney	Carr
Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Hulse	Husak	Hutchins	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Rush
Schwengels	Slater	Small	Van Gilst
Waldstein	Wells	Yenger	

Nays, 10:

Baughner	Bisenius	Briles	Gratias
Hultman	Jensen	Lura	Ramsey
Taylor	Vande Hoef		

Absent or not voting, 5:

Holden	Priebe	Readinger	Rodgers
Tieden			

Amendment S—3486 was adopted.

Senator Taylor moved the adoption of division S—3382A as amended, which motion prevailed by a voice vote.

Senator Rush asked unanimous consent that action on Senate File 527 be temporarily deferred.

Objection was raised by Senator Taylor.

Senator Taylor withdrew his objection and action on **Senate File 527** was temporarily **deferred**.

POINT OF ORDER

Senator Junkins raised the point of order that the Energy Committee voted out House Files 304 and 774 at a meeting this morning and under Senate Rule 38, paragraph 7, no committee, except a conference committee, is authorized to meet when the Senate is in session and, therefore, the bills cannot be received by the Senate.

The Chair ruled the point well taken under Senate Rule 38, paragraph 7, and that House Files 304 and 774 cannot be received by the Senate.

UNFINISHED BUSINESS
(Deferred April 13, 1981)

Senate File 370

The Senate resumed consideration of Senate File 370, a bill for an act reorganizing Iowa's administrative structure for the delivery and funding of mental health and mental retardation services, and amendment S—3295, as amended, by Senators Yenger, et al, deferred on April 13, 1981.

Senator Slater offered amendment S—3487 filed by Senators Slater and Yenger on April 13, 1981, to amendment S—3295 and called for a division of the amendment: lines 3 and 4 as division S—3487A; lines 5 through 49 as division S—3487B.

Senator Slater moved the adoption of division S—3487A to amendment S—3295, which motion prevailed by a voice vote.

Senator Slater moved the adoption of division S—3487B to amendment S—3295, which motion prevailed by a voice vote.

Senator Slater offered amendment S—3482 filed by him on April 13, 1981, to amendment S—3295 and moved its adoption.

Amendment S—3482 was adopted by a voice vote.

Action on **Senate File 370** was **deferred**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

MOTION TO RECONSIDER WITHDRAWN

Senate File 506

Senator Gallagher withdrew the motion to reconsider Senate File 506, a bill for an act redefining the types of projects for which industrial revenue bonds may be issued under chapter 419 for the purpose of including facilities to be used for the sanitary disposal for recycling of solid waste and providing for its effect upon publication, filed by him on April 13, 1981, and found on page 1250 of the Senate Journal.

UNFINISHED BUSINESS
(Pending April 6, 1981)

Senate File 474

The Senate resumed consideration of Senate File 474, a bill for an act relating to the tort liability of governmental subdivisions, pending on April 6, 1981.

Senator Kudart offered amendment S—3353 filed by him on April 2, 1981, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 31.

Amendment S—3353 lost.

Senator Hultman asked and received unanimous consent that action on **Senate File 474** be **deferred**.

BUSINESS PENDING

Senate File 370

The Senate resumed consideration of Senate File 370 and amendment S—3295, as amended, by Senators Yenger, et al., previously deferred.

Senator Yenger moved the adoption of amendment S—3295 as amended, to strike everything after the enacting clause and to the title page of the bill.

A record roll call was requested.

On the question "Shall amendment S—3295 as amended be adopted?" (S.F. 370) the vote was:

Ayes, 22:

Bisenius	Brown	Carr	Coleman
Doyle	Drake	Gallagher	Husak
Hutchins	Junkins	Miller, A.V.	Miller, C.P.
Priebe	Ramsey	Rush	Schwengels
Slater	Small	Tieden	Van Gilst
Wells	Yenger		

Nays, 26:

Anderson	Briles	Carney	Comito
Craft	DeKoster	Deluhery	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kinley	Kudart	Lura	Murray
Nystrom	Palmer	Readinger	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 2:

Baughner Rodgers

Amendment S—3295 as amended lost.

Senator Yenger withdrew amendment S—3300 filed by her on March 31, 1981, to pages 3, 5, 10, 12, 24-26, 32, 34, 40-41, 48, 50, 52 and 53 of the bill.

Senator Small offered amendment S—3255 filed by Senators Small, et al., on March 26, 1981, to pages 4, 19 and 34 of the bill.

Senator Gentleman called for a division of amendment S—3255: lines 2 through 7 and lines 10 through 40 as division S—3255A; lines 8 and 9 as division S—3255B.

Senator Small moved the adoption of division S—3255A, which motion prevailed by a voice vote.

Senator Small moved the adoption of division S—3255B, which motion prevailed by a voice vote.

Senator Gentleman offered amendment S—3301 filed by Senators Gentleman and Miller of Des Moines on March 31, 1981, to pages 8, 11, 15, 19, 27, 29 and 38 of the bill.

Senator Gentleman offered amendment S—3410 filed by her on April 6, 1981, to pages 1 and 2 of amendment S—3301 and moved its adoption.

Amendment S—3410 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on amendment S—3301 as amended be deferred.

Senator Yenger offered amendment S—3282 filed by Senators Yenger, Schwengels and Slater on March 31, 1981, to page 14 of the bill and moved its adoption.

Amendment S—3282 was adopted by a voice vote.

Senator Carr offered amendment S—3488 filed by Senators Carr, et al., from the floor to page 19 of the bill and moved its adoption.

Amendment S—3488 was adopted by a voice vote.

Senator Schwengels offered amendment S—3490 filed by Senators Schwengels, et al., from the floor to page 19 of the bill and moved its adoption.

Amendment S—3490 was adopted by a voice vote.

Senator Schwengels offered amendment S—3489 filed by Senators Schwengels, et al., from the floor to page 30 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 25.

Amendment S—3489 lost.

Senator Craft offered amendment S—3279 filed by him on March 31, 1981, to pages 23 through 25 of the bill and called for a division of the amendment: lines 2 through 5 as division S—3279A; lines 6 through 10 as division S—3279B.

Senator Craft moved the adoption of division S—3279A, which motion prevailed by a voice vote.

Senator Craft withdrew division S—3279B.

The Senate resumed consideration of amendment S—3301 as amended, previously deferred.

Senator Slater called for a division of amendment S—3301: page 2, lines 36 and 37 as division S—3301A; page 1 and page 2, lines 1 through 35 and lines 38 through 46 as division S—3301B.

Senator Gentleman moved the adoption of division S—3301A.

A non record roll call was requested.

The ayes were 34, nays 15.

Division S—3301A was adopted.

Senator Hutchins offered amendment S—3497 filed by him from the floor to division S—3301B as amended, moved its adoption and requested a record roll call.

On the question, "Shall amendment S—3497 to division S—3301B be adopted?" (S.F. 370) the vote was:

Ayes, 23:

Anderson	Bisenius	Briles	Brown
Carr	Coleman	Comito	Drake
Dreeszen	Husak	Hutchins	Junkins
Miller, A.V.	Miller, C.P.	Priebe	Ramsey
Schwengels	Slater	Tieden	Van Gilst
Waldstein	Wells	Yenger	

Nays, 25:

Baughner	Carney	Craft	DeKoster
Deluhery	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Jensen	Kinley	Kudart
Lura	Murray	Nystrom	Palmer
Readinger	Rush	Small	Taylor
Vande Hoef			

Absent or not voting, 2:

Doyle	Rodgers
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Amendment S—3497 lost.

Senator Miller of Des Moines offered amendment S—3496 filed by Senators Miller of Des Moines and Gentleman from the floor to division S—3301B as amended and moved its adoption.

Amendment S—3496 was adopted by a voice vote.

Senator Gentleman moved the adoption of division S—3301B as amended, which motion prevailed by a voice vote.

Senator Junkins asked unanimous consent that action on Senate File 370 be deferred.

Objection was raised by Senator Hultman.

Senator Gentleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 370) the vote was:

Ayes, 34:

Baughner	Briles	Carney	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Jensen	Kinley
Kudart	Lura	Murray	Nystrom
Palmer	Ramsey	Readinger	Rush
Small	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 14:

Anderson	Bisenius	Brown	Carr
Coleman	Husak	Hutchins	Junkins
Miller, A.V.	Priebe	Schwengels	Slater
Tieden	Yenger		

Absent or not voting, 2:

Miller, C.P. Rodgers

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked unanimous consent that Senate File 370 be immediately messaged to the House.

Objection was raised by Senator Junkins.

Senator Hultman moved that the vote by which Senate File 370 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Senator Hultman withdrew his motion.

Senator Junkins withdrew his objection and **Senate File 370** was **immediately messaged** to the House.

IMMEDIATELY MESSAGED

Senator Hultman asked and received unanimous consent that **Senate File 506** be immediately messaged to the House.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:22 p.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Branstad presiding.

INTRODUCTION OF BILL

Senate File 546, by Committee on Appropriations, a bill for an act relating to the sale by the department of social services of the Peck day care center in Newton, Iowa and the Sanford day care center in Sioux City, Iowa.

Read first time and **placed on calendar**.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Slater and Rodgers for the afternoon session on request of Senator Junkins.

BUSINESS PENDING

Senate File 527

The Senate resumed consideration of Senate File 527, previously deferred.

Senator Taylor offered amendment S—3494 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3494 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 527) the vote was:

Ayes, 36:

Anderson	Bisenius	Briles	Brown
Carney	Coleman	Craft	Dreeszen
Gallagher	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Schwengels	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Yenger

Nays, 8:

Carr	DeKoster	Deluhery	Doyle
Gentleman	Kudart	Rush	Small

Absent or not voting, 6:

Baughner	Comito	Drake	Rodgers
Slater	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hultman asked unanimous consent that Senate File 527 be immediately messaged to the House.

The following motions to reconsider were filed from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 527 passed the Senate on April 14, 1981.

JAMES V. GALLAGHER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 527 passed the Senate on April 14, 1981.

RAY TAYLOR

Senator Taylor moved the adoption of the motion to reconsider.

Senator Small asked unanimous consent that the motion to reconsider be deferred until April 16, 1981.

Senator Small withdrew his request.

Senator Taylor withdrew his motion to reconsider.

BUSINESS PENDING

Senate File 474

The Senate resumed consideration of Senate File 474, previously deferred.

Senator Holden offered amendment S—3331 filed by him on April 1, 1981, to page 2 of the bill.

Senator Holden asked and received unanimous consent that action on amendment S—3331 be deferred.

Senator Ramsey offered amendment S—3491 filed by him from the floor to page 2 of the bill, moved its adoption and requested a non record roll call.

The ayes were 33, nays 12.

Amendment S—3491 was adopted.

With the adoption of amendment S—3491, the Chair ruled the following amendments out of order:

S—3331 by Senator Holden to page 2 of the bill, previously deferred.

S—3384 filed by Senator Ramsey on April 6, 1981, to page 2 of the bill.

Senator Murray offered amendment S—3498 filed by Senators Murray and DeKoster from the floor to page 2 of the bill and moved its adoption.

Amendment S—3498 was adopted by a voice vote.

Senator Ramsey offered amendment S—3383 filed by him on April 6, 1981, to page 2 of the bill.

Senator Hutchins raised the point of order that amendment S—3383 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3383 out of order.

Senator Rush withdrew amendment S—3336 filed by him on April 2, 1981, to page 1 of the bill.

Senator Murray moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 474) the vote was:

Ayes, 36:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Comito	DeKoster
Deluhery	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hultman	Hutchins	Jensen
Junkins	Kinley	Lura	Miller, A.V.
Murray	Palmer	Priebe	Readinger
Schwengels	Slater	Small	Tieden
Vande Hoef	Van Gilst	Wells	Yenger

Nays, 11:

Anderson	Coleman	Craft	Doyle
Hulse	Husak	Kudart	Miller, C.P.
Nystrom	Ramsey	Rush	

Absent or not voting, 3:

Rodgers	Taylor	Waldstein
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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 Hultman asked and received unanimous consent that **Senate File 474** be **immediately messaged** to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. R.	13	Rules and Administration
S. C.R.	18	Rules and Administration
S. C.R.	19	Rules and Administration
H.F.	738	Natural Resources
H.F.	786	County Government
H.F.	802	Judiciary
H.F.	822	Judiciary
H.F.	836	County Government
H.F.	837	County Government

COMMUNICATION FROM THE SECRETARY OF STATE

April 13, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

I hereby certify that House File 211 was published in The Perry Daily Chief, Perry, Iowa, on March 27, 1981, and in The Monticello Express, Monticello, Iowa on April 1, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

STUDY BILLS RECEIVED

S.S.B. 403 Appropriations

Reducing appropriated funds by 4.6 percent.

S.S.B. 404 Ways and Means

Relating to the indexing of state income tax by allowing indexing to occur for tax years beginning on or after January 1, 1982.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 370, the following technical corrections for internal references were made:

1. Page 1, line 15, "21" was changed to "20".
2. Page 1, line 22, "21" was changed to "20".
3. Page 5, line 7, "34" was changed to "35".
4. Page 7, line 6, "34" was changed to "35".
5. Page 13, lines 19 and 20, "16 through 19" were changed to "15 through 18".
6. Page 13, line 32, "16 through 19" were changed to "15 through 18".
7. Page 15, line 15, "17, 18, and 19" were changed to "16, 17, and 18".
8. Page 15, line 17, "17, 18, and 19" were changed to "16, 17, and 18".
9. Page 15, line 23, "17, 18, and 19" were changed to "16, 17, and 18".
10. Page 15, line 33, "16" was changed to "15".
11. Page 16, line 8, "19" was changed to "18".
12. Page 16, line 16, "16" was changed to "15".
13. Page 19, line 3, "e" was changed to "d".
14. Page 24, line 18, "34" was changed to "35".
15. Page 39, line 26, "49" was changed to "51".
16. Page 40, line 18, "15, 20 and 50" were changed to "19 and 52"; Sec. 15 of bill was stricken by amendment.
17. Page 40, lines 20, and 21, "16 through 19, 38, 45, 48, and 51" were changed to "15 through 18, 40, 47, 50, and 53".

LINDA HOWARTH MACKAY
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 14, 1981, 8:35 a.m.

Members Present: Taylor, Chairperson; Hester, Vice Chairperson; Hutchins, Ranking Member; Dreeszen, Hulse, A. Miller, Vande Hoef and Van Gilst.

Members Absent: Husak and Waldstein.

Final Bill Action: House File 795, a bill for an act relating to nonprofit marketing associations regulated under chapter 500.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Taylor, Hester, Hutchins, Dreeszen, Hulse, A. Miller, Vande Hoef and Van Gilst. Nays, none. Absent or not voting, 2: Husak and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Made decision to have a resolution drafted to update the dairy sections in the Code.

Adjourned: 8:50 a.m.

APPROPRIATIONS

Convened: April 14, 1981, 12:30 p.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius (arrived 12:38 p.m.), Carney, Deluhery (arrived 12:40 p.m.), Hultman, Jensen (arrived 12:35 p.m.), Junkins (arrived 12:37 p.m.), Ramsey, Rush (arrived 12:38 p.m.), Schwengels, Slater, Small, Van Gilst (arrived 12:48 p.m.), Waldstein (arrived 12:35 p.m.) and Yenger.

Members Absent: none.

Final Bill Action: Senate File 546, a bill for an act relating to the sale by the department of social services of the Peck day care center in Newton, Iowa and the Sanford day care center in Sioux City, Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush, Schwengels, Slater, Small, Van Gilst, Waldstein and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 359 as a committee bill; discussed SSB 317.

Adjourned: 1:30 p.m.

ENERGY

Convened: April 14, 1981, 8:15 a.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Doyle, Kudart and Yenger.

Members Absent: Briles, Readinger and Rodgers (excused).

Final Bill Action: House File 304, a bill for an act including energy conservation and solar access as objectives of city and county zoning regulations.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Ramsey, Bisenius, Gallagher, Doyle, Kudart and Yenger. Nays, none. Absent or not voting, 4: Anderson, Briles, Readinger and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 774, a bill for an act requiring prime suppliers of liquid fossil fuel to Iowa to reserve a specified percentage of fuel for release by the director of energy policy under specified circumstances.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Ramsey, Bisenius, Gallagher, Anderson, Doyle, Kudart and Yenger. Nays, none. Absent or not voting, 3: Briles, Readinger and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Discussion of air quality standards in Iowa by officials of Department of Environmental Quality.

Adjourned: 9:21 a.m.

ENERGY

Convened: April 14, 1981, 12:26 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Gallagher, Ranking Member; Anderson, Doyle, Kudart, Readinger and Yenger.

Members Absent: Briles and Rodgers.

Final Bill Action: House File 304, a bill for an act including energy conservation and solar access as objectives of city and county zoning regulations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Ramsey, Bisenius, Gallagher, Anderson, Doyle, Kudart, Readinger and Yenger. Nays, none. Absent or not voting, 2: Briles and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 774, a bill for an act requiring prime suppliers of liquid fossil fuel to Iowa to reserve a specified percentage of fuel for release by the director of energy policy under specified circumstances.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Ramsey, Bisenius, Gallagher, Anderson, Doyle, Kudart, Readinger and Yenger. Nays, none. Absent or not voting, 2: Briles and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 12:28 p.m.

STATE GOVERNMENT

Convened: April 13, 1981, 5:30 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: Briles (excused).

Final Bill Action: House File 782, a bill for an act relating to the powers and duties of the governor during a disaster emergency, to be effective upon publication.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Nystrom, Lura, Slater, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 5:45 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty students from Dexfield High School, Dexter, Iowa, accompanied by Frank Brigham. Senator Rodgers.

Twenty-five students from Lakeview Elementary School, Centerville, Iowa, accompanied by Gerald Smith. Senator Ramsey.

Twenty-one students from Albia High School, Albia, Iowa. Senator Yenger.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 527 passed the Senate on April 14, 1981.

RAY TAYLOR

AMENDMENTS FILED

S—3488	S. F.	370	Bob Carr Dale L. Tieden Sue Yenger Stephen W. Bisenius Tom Slater Forrest V. Schwengels
S—3489	S. F.	370	Forrest V. Schwengels Sue Yenger Stephen W. Bisenius Tom Slater
S—3490	S. F.	370	Forrest V. Schwengels Sue Yenger Stephen W. Bisenius Tom Slater
S—3491	S. F.	474	Dick Ramsey
S—3492	S. F.	450	Dick Ramsey
S—3493	S. F.	116	Sue Yenger George R. Kinley
S—3494	S. F.	527	Ray Taylor
S—3495	S. F.	487	David M. Readinger George R. Kinley Donald V. Doyle
S—3496	S. F.	370	Charles P. Miller Julia Gentleman
S—3497	S. F.	370	C.W. Bill Hutchins
S—3498	S. F.	474	John S. Murray Lucas J. DeKoster
S—3499	H.F.	740	Richard F. Drake

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:10 p.m., until 10:00 a.m., Wednesday, April 15, 1981.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 15, 1981

The Senate met in regular session at 10:06 a.m., President Branstad presiding.

Prayer was offered by the Honorable George R. Kinley, member of the Senate from Polk County, Des Moines, Iowa.

The Journal of Tuesday, April 14, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C.E. Douglas, M.D., Belle Plaine, Iowa.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 823, a bill for an act relating to the requirements for giving a notice to cure in a consumer credit transaction.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 13, 1981, passed the following bills in which the concurrence of the Senate is asked:

House File 829, a bill for an act relating to the investigations, communications and reports of the citizens' aide office.

This bill was read first time and **passed on file**.

House File 831, a bill for an act making a supplemental appropriation to the board of medical examiners and the licensing and certification division of the state department of health for the fiscal year beginning July 1, 1980, and ending June 30, 1981.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 9, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 284, a bill for an act striking the provision which prohibits a telephone company from imposing a charge for directory assistance.

INTRODUCTION OF BILL

Senate File 547, by Committee on Ways and Means, a bill for an act to provide for increasing the maximum permissible assessment for the Iowa beef excise tax.

Read first time and **placed on calendar**.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 527

Senator Gallagher withdrew the motion to reconsider **Senate File 527**, a bill for an act relating to a custodial parent's, custodial guardian's, or custodian's liability for unlawful acts of a child and to victim restitution under the juvenile justice law, filed by him on April 14, 1981, and found on page 1265 of the Senate Journal.

Senator Taylor withdrew the motion to reconsider **Senate File 527** filed by him on April 14, 1981, and found on page 1273 of the Senate Journal.

Senator Hultman asked unanimous consent that **Senate File 527** be immediately messaged to the House.

Senator Hultman withdrew his request.

Senator Gentleman took the chair at 10:15 a.m.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order House File 740.

House File 740

On motion of Senator Miller of Cerro Gordo, House File 740, a bill for an act to increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3464 filed by him on April 10, 1981, to page 4 of the bill.

Senator Drake offered amendment S—3499 filed by him on April 14, 1981, to amendment S—3464 and moved its adoption.

Amendment S—3499 was adopted by a voice vote.

Senator DeKoster raised the point of order that amendment S—3464 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3464 as amended out of order.

Senator Miller of Cerro Gordo moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 740) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Baughner	Bisenius	Briles	Brown
Carney	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Holden	Hulse
Jensen	Kudart	Miller, A.V.	Murray
Nystrom	Ramsey	Readinger	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein	Yenger		

Nays, 17:

Anderson	Carr	Coleman	Deluhery
Doyle	Gallagher	Husak	Hutchins
Kinley	Lura	Miller, C.P.	Palmer
Priebe	Rodgers	Slater	Van Gilst
Wells			

Absent or not voting, 7:

Comito	Craft	Gratias	Hester
Hultman	Junkins	Rush	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Drake asked and received unanimous consent that **Senate File 259** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Steering Calendar)

House File 565

On motion of Senator DeKoster, House File 565, a bill for an act authorizing foreign insurance corporations doing business under chapter 515 of the Code to reincorporate as Iowa corporations, with report of committee recommending passage, was taken up for consideration.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 565) the vote was:

Ayes, 42:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Holden	Hulse	Husak	Hutchins
Jensen	Kinley	Kudart	Lura
Miller, A.V.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Comito	Craft	Gratias	Hester
Hultman	Junkins	Miller, C.P.	Rush

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Nystrom asked and received unanimous consent that **Senate File 206** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Holden asked and received unanimous consent that **Senate File 527** be immediately messaged to the House.

CONSIDERATION OF BILL (Steering Calendar)

House File 157

On motion of Senator Carney, House File 157, a bill for an act relating to the authority of school districts to sell, lease, or dispose of school property, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gratias offered amendment S—3244 filed by the committee on Education on March 24, 1981, to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3244 be adopted?" (H.F. 157) the vote was:

Ayes, 18:

Anderson	Briles	Brown	DeKoster
Dreeszen	Goodwin	Hulse	Hultman
Husak	Junkins	Miller, C.P.	Murray
Nystrom	Palmer	Rodgers	Schwengels
Van Gilst	Wells		

Nays, 28:

Baughner	Carney	Carr	Coleman
Comito	Deluhery	Doyle	Drake
Gallagher	Gentleman	Gratias	Hester
Holden	Hutchins	Jensen	Kudart
Lura	Miller, A.V.	Priebe	Ramsey
Readinger	Slater	Small	Taylor
Tieden	Vande Hoef	Waldstein	Yenger

Absent or not voting, 4:

Bisenius	Craft	Kinley	Rush
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Amendment S—3244 lost.

Senator Carney moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 157) the vote was:

Ayes, 45:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Bisenius	Craft	Kinley	Murray
Rush			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:25 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

CONSIDERATION OF BILLS (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order House File 572.

House File 572

On motion of Senator Wells, House File 572, a bill for an act relating to the duties of the board of review, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3474 filed by him on April 13, 1981, to pages 1 and 2 of the bill and called for a division of the amendment: lines 3 through 34 as division S—3474A; lines 35 through 47 as division S—3474B.

Senator Holden withdrew division S—3474A.

Senator Holden moved the adoption of division S—3474B, which motion prevailed by a voice vote.

Senator Wells moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 572) the vote was:

Ayes, 47:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Bisenius	Kinley	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.

House File 466

On motion of Senator Taylor, House File 466, a bill for an act relating to the creation of conservancy district wards, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein offered amendment S—3318 filed by him on April 1, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3318 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 466) the vote was:

Ayes, 47:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman

Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Vande Hoef
Waldstein	Wells	Yenger	

Nays, 1:

Van Gilst

Absent or not voting, 2:

Bisenius

Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 303

On motion of Senator Vande Hoef, House File 303, a bill for an act relating to the registration of group day care home providers, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—3416 filed by him on April 7, 1981, to page 2 of the bill.

Senator Vande Hoef raised the point of order that amendment S—3416 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3416 in order.

Senator Hutchins moved the adoption of amendment S—3416.

A non record roll call was requested.

The ayes were 27, nays 20.

Amendment S—3416 was adopted.

Senator Hutchins offered amendment S—3417 filed by him on April 7, 1981, to page 2 of the bill.

Senator Hutchins asked and received unanimous consent that action on **House File 303** and amendment S—3417 be deferred.

House File 371

On motion of Senator Hutchins, House File 371, a bill for an act relating to the prohibition of open burning under certain conditions and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 371) the vote was:

Ayes, 45:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Slater	Small
Taylor	Vande Hoef	Van Gilst	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Bisenius	Miller, C.P.	Schwengels	Tieden
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 509

On motion of Senator DeKoster, House File 509, a bill for an act limiting refunds of the state insurance retaliatory tax, with report of committee recommending amendment and passage, was taken up for consideration.

Senator DeKoster offered amendment S—3394 filed by the committee on Commerce on April 6, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3394 was adopted by a voice vote.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 509) the vote was:

Ayes, 46:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 1:

Small

Absent or not voting, 3:

Bisenius Jensen Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 737

On motion of Senator Yenger, House File 737, a bill for an act including life cycle costs and energy efficiency as criteria to be used in developing state purchasing standards and specifications for energy consuming products, with report of committee recommending passage, was taken up for consideration.

Senator Anderson offered amendment S—3504 filed by Senators Anderson, et al., from the floor to page 1 of the bill.

Senator DeKoster raised the point of order that amendment S—3504 was not germane to the bill.

Senator DeKoster withdrew his point of order.

Senator Yenger asked and received unanimous consent that action on **House File 737** and amendment S—3504 be **deferred**.

DEFERRAL OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)
(Deferred April 6, 1981)

The Senate resumed consideration of the appointment of Forrest V. Mitchell as a member of the State Judicial Nominating Commission, deferred on April 6, 1981.

Senator Small asked and received unanimous consent that action on the confirmation of **Forrest V. Mitchell** be **deferred** by the Senate.

CONSIDERATION OF BILL
(Steering Calendar)

House File 588

On motion of Senator Craft, House File 588, a bill for an act relating to the collection by lenders of certain fees from persons other than sellers and borrowers in connection with certain real property purchase-money loans, with report of committee recommending passage, was taken up for consideration.

Senator Craft moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 588) the vote was:

Ayes, 40:

Briles	Brown	Carney	Coleman
Comito	Craft	DeKoster	Deluhery
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush

Schwengels
Tieden

Slater
Van Gilst

Small
Waldstein

Taylor
Yenger

Nays, 7:

Anderson
Hester

Carr
Kudart

Doyle
Wells

Gallagher

Absent or not voting, 3:

Baughner

Bisenius

Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate Files 288 and 516** be withdrawn from further consideration of the Senate.

BUSINESS PENDING

House File 737

The Senate resumed consideration of House File 737 and amendment S—3504 by Senators Anderson, et al., previously deferred.

Senator DeKoster raised the point of order that amendment S—3504 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3504 in order.

Senator Waldstein offered amendment S—3505 filed by Senators Waldstein and Drake from the floor to amendment S—3504 and moved its adoption.

Amendment S—3505 was adopted by a voice vote.

Senator Anderson moved the adoption of amendment S—3504 as amended.

A record roll call was requested.

On the question "Shall amendment S—3504 as amended be adopted?" (H.F. 737) the vote was:

Ayes, 27:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Doyle	Drake
Dreeszen	Gallagher	Gratias	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Readinger	Rush	Schwengels	Slater
Tieden	Wells	Yenger	

Nays, 20:

Carney	Craft	DeKoster	Deluhery
Gentleman	Goodwin	Hester	Holden
Hulse	Hultman	Kudart	Lura
Murray	Palmer	Ramsey	Rodgers
Taylor	Vande Hoef	Van Gilst	Waldstein

Absent or not voting, 3:

Bisenius	Comito	Small
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Amendment S—3504 as amended was adopted.

Senator Yenger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 737) the vote was:

Ayes, 30:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Deluhery	Doyle
Drake	Dreeszen	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rush	Schwengels
Slater	Taylor	Tieden	Van Gilst
Wells	Yenger		

Nays, 17:

Carney	Craft	DeKoster	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Kudart	Lura
Murray	Ramsey	Rodgers	Vande Hoef
Waldstein			

Absent or not voting, 3:

Bisenius Comito Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 303

The Senate resumed consideration of House File 303 and amendment S—3417 by Senator Hutchins, previously deferred.

Senator Yenger offered amendment S—3506 filed by Senators Yenger, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—3506 was adopted by a voice vote.

Senator Yenger filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3506 to House File 303 was adopted by the Senate on April 15, 1981.

The motion prevailed by a voice vote and amendment S—3506 to page 1 of the bill, was taken up for reconsideration.

Senator Yenger asked and received unanimous consent that action on amendment S—3506 be deferred.

Senator Hutchins moved the adoption of amendment S—3417 to page 2 of the bill, previously deferred.

A record roll call was requested.

On the question "Shall amendment S—3417 be adopted?" (H.F. 303) the vote was:

Ayes, 26:

Anderson	Briles	Brown	Coleman
Deluhery	Doyle	Hultman	Husak
Hutchins	Junkins	Lura	Miller, A.V.
Miller, C.P.	Murray	Priebe	Ramsey
Readerger	Rodgers	Rush	Schwengels
Taylor	Tieden	Van Gilst	Waldstein
Wells	Yenger		

Nays, 22:

Baughner	Carney	Carr	Comito
Craft	DeKoster	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Jensen
Kinley	Kudart	Palmer	Slater
Small	Vande Hoef		

Absent or not voting, 2:

Bisenius Nystrom

Amendment S—3417 was adopted.

Senator Yenger moved the adoption of amendment S—3506, previously deferred.

Amendment S—3506 was adopted by a voice vote.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

Senator Hultman asked and received unanimous consent that action on **House File 303** be **deferred**.

REPORT OF COMMITTEE

RULES AND ADMINISTRATION

Final Bill Action: Senate Resolution 14, a resolution to defer gubernatorial appointments.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hultman, Hulse, Junkins, Holden and Ramsey. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ADOPTION OF RESOLUTION

Senator Hultman asked and received unanimous consent to take up the following resolution and moved its adoption:-

SENATE RESOLUTION 14
By: Committee on Rules and Administration

1 *Whereas*, subsection 3 of section 2.32 provides that
2 consideration by the senate of an appointment by the
3 governor may be deferred; and
4 *Whereas*, there exists some confusion regarding the
5 appointment of Forrest J. Mitchell to the State Judicial
6 Nominating Commission because when the law establishing
7 the State Judicial Nominating Commission was written
8 there existed seven congressional districts, and appoint-
9 ments have been made in contemplation of seven congres-
10 sional districts and there are presently six districts;
11 *Now Therefore*,
12 *Be It Resolved by the Senate*, That the senate shall
13 defer consideration of the appointment of Forrest J.
14 Mitchell until the status of the law can be determined
15 but not later than the final day of the First Session
16 of the Sixty-ninth General Assembly.

The motion prevailed by a voice vote and the resolution was adopted.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 469, a bill for an act relating to tuition payments for attendance of certain Iowa pupils in public schools outside the state.

INTRODUCTION OF BILL

Senate File 548, by Committee on Appropriations, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTIONS

SENATE CONCURRENT RESOLUTION 22
By: Vande Hoef, Schwengels, Hultman, Hester, Junkins,
Taylor Hutchins, Waldstein and Dreeszen

1 *Whereas*, the Iowa Water Plan '78 was submitted to
2 the general assembly in 1978 examining the use, supply
3 and quality of water in this state and making recom-
4 mendations for the policies to govern the state in
5 those regards; and
6 *Whereas*, the future of Iowa's economy is dependent
7 upon the continued availability of adequate water
8 supply; and
9 *Whereas*, precipitation has been below normal this
10 year and increased stress will probably be placed upon
11 Iowa's water resources this year; and
12 *Whereas*, it is in the interest of this state that
13 the general assembly examine the policies of this
14 state regarding water supply and use; *Now Therefore*,
15 *Be It Resolved by the Senate, the House Concurring*,
16 That the legislative council is authorized to establish
17 a study committee composed of members of the standing
18 committees on agriculture and natural resources to
19 examine the present and future problems regarding water
20 use and supply, including the riparian and appropriative
21 systems of water rights, and to make recommendations to
22 the second regular session of the Sixty-ninth General
23 Assembly.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 23
By: Committee on Agriculture

1 *Whereas*, much of the Code which deals with the
2 dairy industry is antiquated and requires revision;
3 and
4 *Whereas*, many of the fees for inspections performed
5 by, and licenses and certificates issued by, the
6 Department of Agriculture have not been reviewed in
7 many years; and
8 *Whereas*, the cost to the Department of Agriculture
9 of conducting inspections and issuing licenses and
10 certificates has increased significantly; *Now Therefore*,
11 *Be It Resolved by the Senate, the House Concurring*,
12 That there should be formed a joint interim committee
13 to examine the Code as it relates to the dairy industry
14 and as it relates to fees charged by the Department of
15 Agriculture and make recommendations for revision.

Read first time and placed on calendar.

APPENDIX**COMMUNICATION FROM THE SECRETARY OF STATE**

April 13, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

I hereby certify that Senate File 106 was published in the Fort Madison Daily Democrat, Fort Madison, Iowa, on March 23, 1981, and in The Conservation and Advertiser, Tipton, Iowa, on March 26, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATION OF VOTES

MR. PRESIDENT: I was absent from the Senate when the final votes were taken on the following bills:

Had I been present, I would have voted "nay" on House File 740 and "aye" on House File 565.

LOWELL L. JUNKINS

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

H.F.	444	Education
H.F.	807	Education
H.F.	823	Commerce

REPORTS OF COMMITTEE**COUNTY GOVERNMENT**

Final Bill Action: House File 786, a bill for an act permitting the county board of supervisors to classify secondary roads on the area service system to provide for a reduced level of maintenance on some of these roads.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 836, a bill for an act relating to honoring county warrants.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Priebe, Vande Hoef and Yenger. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 837, a bill for an act to repeal the requirement that a county recorder retain a copy of a declaration of value for public inspection.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Briles, Waldstein, Wells, Brown, Goodwin, Hester, C. Miller, Vande Hoef and Yenger. Nays, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER
REPORT OF COMMITTEE MEETING

APPROPRIATIONS*

*A previous report of this meeting was recorded on page 1270 of the Senate Journal.

Final Bill Action: Senate File 548, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush, Schwengels, Small, Van Gilst, Waldstein and Yenger. Nays, none. Absent or not voting, 1: Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: April 14, 1981, 7:35 a.m.

Members Present: Jensen, Chairperson; Rush, Ranking Member; Gratias, Hulse and C. Miller.

Members Absent: none.

Other Committee Business: Discussion regarding Iowa Beer and Liquor Control Commission.

Adjourned: 8:49 a.m.

JUDICIARY

Convened: April 14, 1981, 3:00 p.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor.

Members Absent: none.

Final Bill Action: House File 386, a bill for an act to provide that the implementation of agreements to arbitrate disputes, to provide minimum standards for arbitration procedures and rules for review of arbitration awards, and to subject violators to penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 503, a bill for an act to provide that parties to a judicial review of an administrative agency action may be provided copies of the petition for judicial review by personal service instead of mailing.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 751, a bill for an act to provide for special arson inspection warrants for the inspection of property destroyed by fire for the purpose of determining the cause, origin and circumstances of the fire.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3501.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 762, a bill for an act relating to inspections of state and local correctional facilities and the state juvenile facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 767, a bill for an act relating to the satisfaction of debts owed to the holders of mechanic's liens, and providing that the lien of a subcontractor is not enforceable against an owner-occupied dwelling except to the extent of the amount owed to the principal contractor at the time the subcontractor serves a

written notice of the claim on the owner, and providing that a subcontractor may be awarded exemplary damages from the principal contractor.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3500.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 778, a bill for an act relating to the disclaimer of succession to property and providing a January 1 effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 787, a bill for an act to legalize the sale of certain property in Sioux City, Woodbury County, Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 794, a bill for an act relating to the Iowa Probate Code by increasing the amount that may pass to a minor without the necessity of appointing a conservator; by defining sale of property in probate proceedings; by providing that certain hearings are not necessary if a certain type of notice is used; and by providing that if a claimant is represented by an attorney, the attorney of record for the claimant shall be notified of the disallowance of the claim.

Recommendation: DO PASS.

Final Vote: Ayes, 14: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Lura, Murray, Ramsey, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:00 p.m.

NATURAL RESOURCES

Convened: April 15, 1981, 11:25 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Kudart, Tiedeh, Hutchins and Rodgers.

Members Absent: Gallagher.

Final Bill Action: House File 738, a bill for an act relating to the permissive catch and size limits of fish.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Schwengels, Van Gilst, Gentleman, Kudart and Rodgers. Nays, 3: Goodwin, Tieden and Hutchins. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 11:55 a.m.

WAYS AND MEANS

Convened: April 14, 1981, 1:30 p.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Lura, Palmer, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Junkins.

Final Bill Action: Senate File 312, a bill for an act providing that passive solar energy systems added as improvements to buildings shall not increase the actual assessed and taxable value of the property for designated assessment years and making the Act retroactive.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Craft, Readinger, Rodgers, Hester, Husak, Lura, Priebe and Van Gilst. Nays, 4: Holden, Palmer, Rush and Taylor. Absent or not voting, 3: Hultman, Junkins and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 547, a bill for an act to provide for increasing the maximum permissible assessment for the Iowa beef excise tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Craft, Readinger, Rodgers, Hester, Holden, Husak, Priebe and Taylor. Nays, 2: Lura and Van Gilst. Absent or not voting, 5: Hultman, Junkins, Palmer, Ramsey and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned House File 396 and SSB 404 to subcommittees; House File 349 failed recommendation for passage; deferred action on Senate File 227.

Adjourned: 3:00 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable John M. Walsh, former member of the Senate from Dubuque County, who was present in the Senate chamber.

The Chair welcomed David Gillies, Barrister from London, who was present in the Senate chamber and accompanied by Court of Appeals Judge, Janet Johnson, and Secretary of State, Mary Jane Odell.

The Chair welcomed the Honorable William F. Denman, former member of the House and Senate from Polk County, who was present in the Senate chamber.

The Chair welcomed Gert Grobler, Consul General and Casper Venter, Consul for Information of the South African office in Chicago, the guests of Senator Bisenius.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five students from Adel Senior High School, Adel, Iowa, accompanied by Mike Myers. Senator Rodgers.

Students of the Government Class from Exira High School, Exira, Iowa. Senator Hutchins.

Thirty students from Dow City-Arion High School, Dow City, Iowa, accompanied by Don Ray. Senator Hester.

Thirty-two students from Highland High School, Riverside, Iowa, accompanied by Chris Samuelson. Senator Schwengels.

Students from the Quint City Baptist School, Davenport, Iowa, accompanied by Charles Mosloski. Senator Holden.

AMENDMENTS FILED

S—3500	H.F.	767	Judiciary Committee
S—3501	H.F.	751	Judiciary Committee
S—3502	S. F.	481	Lucas J. DeKoster
S—3503	S. F.	487	Dick Ramsey C.W. Bill Hutchins
S—3504	H.F.	737	Ted Anderson Gary L. Baugher John W. Jensen Richard Comito Sue Yenger Richard F. Drake C.W. Bill Hutchins
S—3505	H.F.	737	Arne Waldstein Richard F. Drake
S—3506	H.F.	303	Sue Yenger John S. Murray C.W. Bill Hutchins Berl E. Priebe Tom Slater
S—3507	S. F.	469	House Amendment

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Thursday, April 16, 1981.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 16, 1981

The Senate met in regular session at 9:25 a.m., President Branstad presiding.

Prayer was offered by the Reverend Jerry Schmallenberger, pastor of the St. John's Lutheran Church, Des Moines, Iowa.

The Journal of Wednesday, April 15, 1981, was approved, as corrected.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Goetz, M.D., Creston, Iowa.

SPECIAL GUEST

President Branstad welcomed Tana Parsons, the 1981 Iowa Junior Miss, who appeared in the well of the Senate as the guest of Senator Yenger. She was accompanied by Marleen Hardy and Sandy Support.

Tana, an eighteen year-old senior at Ottumwa High School, was chosen at the January 18 and 19 state pageant in Ottumwa and will represent Iowa in the National Junior Miss Pageant in Mobile, Alabama on June 15-18.

UNFINISHED BUSINESS (Deferred April 10, 1981)

Senate File 470

The Senate resumed consideration of Senate File 470, a bill for an act to require examinations for certain teachers, deferred April 10, 1981.

Senator Baugher offered amendment S—3465 filed by him on April 10, 1981, to page 1 of the bill.

Senator Hultman asked and received unanimous consent that action on **Senate File 470** and amendment S—3465 be **deferred**.

UNFINISHED BUSINESS
(Deferred April 15, 1981)

House File 303

The Senate resumed consideration of House File 303, a bill for an act relating to the registration of group day care home providers, deferred on April 15, 1981.

Senator Vande Hoef offered amendment S—3508 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3508 was adopted by a voice vote.

Senator Vande Hoef moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 303) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Carney	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Priebe
Ramsey	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 2:

Brown Carr

Absent or not voting, 3:

Kinley Palmer Readinger

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 303 passed

the Senate on April 16, 1981.

JULIA GENTLEMAN

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

HOUSE AMENDMENTS CONSIDERED

Senate File 130

Senator Briles called up for consideration Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties, amended by the House by House amendment S—3468 filed April 13, 1981.

Senator Junkins asked and received unanimous consent that action on **Senate File 130** and House amendment S—3468 be deferred.

Senate File 469

Senator Gratias called up for consideration Senate File 469, a bill for an act relating to tuition payments for attendance of certain Iowa pupils in public schools outside the state, amended by the House, and moved that the Senate concur in House amendment S—3507 filed April 15, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gratias moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 469) the vote was:

Ayes, 44:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Comito
Craft	DeKoster	Deluhery	Doyle

Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Ramsey	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 2:

Gallagher Tieden

Absent or not voting, 4:

Coleman Holden Priebe Readinger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 13, 1981)

Senate File 487

The Senate resumed consideration of Senate File 487, a bill for an act allowing the operation of golf carts on the streets of cities of less than five thousand population, deferred on April 13, 1981.

Senator Palmer offered amendment S—3483 filed by Senators Readinger, et al., on April 13, 1981, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3483 was adopted by a voice vote.

Senator Hutchins offered amendment S—3484 filed by him on April 13, 1981, to page 1 of the bill.

Senator Ramsey offered amendment S—3503 filed by Senators Ramsey and Hutchins on April 15, 1981, to amendment S—3484 and moved its adoption.

Amendment S—3503 was adopted by a voice vote.

Senator Hutchins moved the adoption of amendment S—3484 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3484 as amended, the Chair ruled amendment S—3495 filed by Senators Readinger, Kinley and Doyle on April 14, 1981, to page 1 of the bill, out of order.

Senator Briles moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 487) the vote was:

Ayes, 31:

Anderson	Baughner	Bisenius	Briles
Carr	DeKoster	Deluhery	Doyle
Dreeszen	Gallagher	Gratias	Hulse
Husak	Hutchins	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Priebe	Ramsey	Rodgers
Schwengels	Slater	Small	Taylor
Waldstein	Wells	Yenger	

Nays, 16:

Brown	Carney	Comito	Craft
Drake	Gentleman	Goodwin	Hester
Holden	Hultman	Jensen	Palmer
Rush	Tieden	Vande Hoef	Van Gilst

Voting present, 1:

Kinley

Absent or not voting, 2:

Coleman Readinger

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Carney presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 761, a bill for an act to appropriate funds credited in the account of the state of Iowa in the unemployment trust fund for the purchase of a building.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 10, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 797, a bill for an act relating to the certified eligible list for promotion for city civil service.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 14, 1981, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 235, a bill for an act to prohibit the possession and operation of a radar jamming device and providing a penalty.

ALSO: That the House has on April 15, 1981, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 17, a resolution providing for an Easter recess for the 1981 Session of the Sixty-ninth General Assembly.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 24
By: Committee on Labor and Industrial Relations

- 1 *Whereas*, concern has been expressed concerning the effect
- 2 of litigation upon the costs of securing worker's compensation
- 3 insurance coverage; and
- 4 *Whereas*, legislation requiring mandatory rehabilitation
- 5 of injured workers has been enacted in Minnesota and may
- 6 effectively encourage early return of the injured worker to
- 7 productive employment; and
- 8 *Whereas*, such legislation may be beneficial to Iowa and,
- 9 thus, merits further study; and
- 10 *Whereas*, legislation providing benefits for wages lost
- 11 because of the worker's inability to return to the worker's
- 12 preinjury employment, but not providing benefits for minor

13 permanent partial disability has been enacted in Florida and
14 may reduce the number of unwarranted worker's compensation
15 claims filed; and

16 *Whereas*, such legislation may be beneficial to Iowa, and,
17 thus, merits further study; and

18 *Whereas*, the interim period would provide more time for
19 comprehensive study, consultation, and joint preparation of
20 legislative proposals; *Now Therefore*,

21 *Be It Resolved by the Senate, the House Concurring*, That
22 the legislative council is requested to authorize an interim
23 study by a joint committee consisting of members of the stand-
24 ing committees on labor and industrial relations of the senate
25 and the house of representatives for the purpose of studying
26 the problems of worker's compensation insurance coverage and
27 the costs of such coverage, and recommending necessary
28 legislative changes; and

29 *Be It Further Resolved*, That the interim committee report
30 its findings and recommendations to the legislative council

Page 2

1 and the members of the general assembly meeting in the year
2 1982 along with any proposed legislation designed to implement
3 the interim committee's recommendations.

Read first time and placed on calendar.

RECESS

On motion of Senator Hultman, the Senate recessed until 3:00
p.m.

AFTERNOON SESSION

The Senate reconvened at 3:08 p.m., President Branstad
presiding.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 541

Ways and Means
 Priebe, Chairperson
 Lura
 Readinger

**SENATE CONCURRENT
RESOLUTION 18**

Rules and Administration
 Hultman, Chairperson
 Junkins
 Holden

SENATE RESOLUTION 13

Rules and Administration
 Junkins, Chairperson
 Hultman
 Holden

HOUSE FILE 396

Ways and Means
 Craft, Chairperson
 Rodgers
 Hultman

HOUSE FILE 472

County Government
 Waldstein, Chairperson
 C. Miller
 Briles

HOUSE FILE 733

Judiciary
 Ramsey, Chairperson
 Doyle
 Murray
 Rush
 DeKoster

HOUSE FILE 744

Judiciary
 Ramsey, Chairperson
 Rush
 Doyle
 Murray
 DeKoster

SENATE FILE 543

Ways and Means
 Taylor, Chairperson
 Palmer
 Holden

**SENATE CONCURRENT
RESOLUTION 19**

Rules and Administration
 Hultman, Chairperson
 Junkins
 Holden

HOUSE FILE 210

County Government
 Vande Hoef, Chairperson
 Brown
 Hester

HOUSE FILE 462

County Government
 Hester, Chairperson
 Wells
 Goodwin

HOUSE FILE 503

Judiciary
 Small, Chairperson
 Murray
 Kudart

HOUSE FILE 738

Natural Resources
 Kudart, Chairperson
 Gentleman
 Hutchins

HOUSE FILE 745

Judiciary
 Rush, Chairperson
 Kudart
 Dreeszen

HOUSE FILE 769

County Government
C. Miller, Chairperson
Wells
Briles

HOUSE FILE 774

Energy
Bisenius, Chairperson
Ramsey
Gallagher
Kudart
Rodgers

HOUSE FILE 778

Judiciary
Kudart, Chairperson
Doyle
Lura

HOUSE FILE 780

Judiciary
Rush, Chairperson
Kudart
Baugher

HOUSE FILE 782

State Government
Drake, Chairperson
Craft
Carr

HOUSE FILE 784

Human Resources
Gratias, Chairperson
C. Miller
Drake

HOUSE FILE 788

Human Resources
Vande Hoef, Chairperson
Nystrom
Gentleman

HOUSE FILE 792

State Government
Nystrom, Chairperson
Lura
Slater

HOUSE FILE 772

Natural Resources
Goodwin, Chairperson
Van Gilst
Kudart

HOUSE FILE 777

Judiciary
Kudart, Chairperson
Small
Lura

HOUSE FILE 779

Judiciary
Rush, Chairperson
Doyle
Murray

HOUSE FILE 781

Judiciary
Coleman, Chairperson
Rush
Lura

HOUSE FILE 783

State Government
Lura, Chairperson
Craft
Gallagher

HOUSE FILE 785

Judiciary
Murray, Chairperson
Rush
Small

HOUSE FILE 790

Commerce
Rush, Chairperson
Comito
Baugher

HOUSE FILE 794

Judiciary
Kudart, Chairperson
Doyle
Deluhery

HOUSE FILE 795

Agriculture
 Vande Hoef, Chairperson
 Dreeszen
 Husak

HOUSE FILE 802

Judiciary
 Murray, Chairperson
 Rush
 Doyle

HOUSE FILE 816

Judiciary
 Ramsey, Chairperson
 Rush
 Doyle
 Murray
 DeKoster

HOUSE FILE 822

Judiciary
 Doyle, Chairperson
 Ramsey
 Dreeszen

HOUSE FILE 825

Human Resources
 Vande Hoef, Chairperson
 Nystrom
 Gentleman

HOUSE FILE 828

State Government
 Nystrom, Chairperson
 Schwengels
 Slater

SSB 402

State Government
 Schwengels, Chairperson
 Briles
 Slater

SSB 404

Ways and Means
 Lura, Chairperson
 Rodgers
 Craft

HOUSE FILE 801

Judiciary
 Ramsey, Chairperson
 Doyle
 Murray
 DeKoster
 Rush

HOUSE FILE 806

County Government
 C. Miller, Chairperson
 Hester
 Briles

HOUSE FILE 821

State Government
 Slater, Chairperson
 Gentleman
 Briles

HOUSE FILE 823

Commerce
 Baugher, Chairperson
 Craft
 Husak

HOUSE FILE 826

State Government
 Tieden, Chairperson
 Briles
 C. Miller

SSB 398

Ways and Means
 Hester, Chairperson
 Holden
 Priebe

SSB 403

Special Appropriations
 Subcommittee
 Jensen, Chairperson
 Ramsey
 Deluhery

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. C.R.	22	Rules and Administration
H.F.	829	State Government
H.F.	831	Appropriations

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 15, 1981, when the final vote was taken on House Files 565 and 740.

Had I been present, I would have voted "aye" on these bills.

ARTHUR L. GRATIAS

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3416 to House File 303 was adopted by the Senate on April 15, 1981.

A.R. (BUD) KUDART

REPORT OF COMMITTEE

RULES AND ADMINISTRATION

Final Bill Action: Senate Resolution 13, a resolution designating the week of April 25 through May 2, 1981 as recognition of the Days of Remembrance of Victims of the Holocaust.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hultman, Hulse, Kinley, Holden, Junkins and Ramsey. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

FURTHER REPORT OF COMMITTEE MEETING

AGRICULTURE*

*A previous report of this meeting was recorded on page 1270 of the Senate Journal.

Final Bill Action: Senate Concurrent Resolution 23, a resolution to update the dairy sections in the Code.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Taylor, Hester, Hutchins, Dreeszen, Hulse, A. Miller, Vande Hoef, Van Gilst and Waldstein. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 16, 1981, 12:00 noon.

Members Present: Holden, Chairperson; Baugher, Vice Chairperson; Deluhery, Ranking Member; Comito, Craft, DeKoster, Husak, Jensen, Priebe and Rush.

Members Absent: none.

Final Bill Action: House File 771, a bill for an act relating to the regulation of public utilities by providing for the continuing audit of utility operations, the review of annual reports by the commission, the exemption of certain telephone companies from rate regulation, the exemption of certain water companies from commission regulation, the retroactive refund of excess charges collected after notice to the utility, the requirement that the commission approve temporary rates to be collected during rate-making proceedings, and time limitations for commission decisions in rate-making proceedings, a commerce commission investigation of the practice of allowing a public utility to recover advertising costs from its customers, to take effect upon publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3514.

Final Vote: Ayes, 8: Holden, Baugher, Comito, Craft, DeKoster, Husak, Jensen and Priebe. Nays, 2: Deluhery and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 823, a bill for an act relating to the requirements for giving a notice to cure in a consumer credit transaction.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Holden, Baughner, Craft, DeKoster, Husak, Jensen and Priebe. Nays, 3: Deluhery, Comito and Rush.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned and took up House File 823.

Adjourned: 1:30 p.m.

ENERGY

Convened: April 16, 1981, 12:23 p.m.

Members Present: Ramsey, Chairperson; Bisenius, Vice Chairperson; Anderson, Doyle, Kudart and Yenger.

Members Absent: Gallagher, Ranking Member; Briles, Readinger and Rodgers (excused).

Final Bill Action: House File 766, a bill for an act relating to access to and use of solar energy.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3515.

Final Vote: Ayes, 6: Ramsey, Bisenius, Anderson, Doyle, Kudart and Yenger. Nays, none. Absent or not voting, 4: Gallagher, Briles, Readinger and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 12:42 p.m.

HUMAN RESOURCES

Convened: April 16, 1981, 1:32 p.m.

Members Present: Gentleman, Chairperson; Yenger, Vice Chairperson, C. Miller, Ranking Member; Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef.

Members Absent: none.

Final Bill Action: House File 784, a bill for an act relating to reports of reportable disease.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gentleman, Yenger, C. Miller, Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 788, a bill for an act excluding child day care providers and babysitters from the child foster care licensing requirements, requiring family and group day care providers who are foster care licensees to register under chapter 237A, and providing that foster children are considered children of the family or group day care provider.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gentleman, Yenger, C. Miller, Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 825, a bill for an act relating to the rights of residents of health care facilities and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gentleman, Yenger, C. Miller, Carr, Coleman, Drake, Gratias, Hulse, A. Miller, Nystrom, Slater and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 1:52 p.m.

JUDICIARY

Convened: April 16, 1981, 8:00 a.m.

Members Present: DeKoster, Chairperson; Kudart, Vice Chairperson; Rush, Ranking Member; Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Ramsey and Taylor.

Members Absent: Lura and Small.

Final Bill Action: House File 745, a bill for an act for the legalization of the proceedings of the board of supervisors of Jones County relating to the sale of certain real estate.

Recommendation: DO PASS.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Small and Lura.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 779, a bill for an act relating to the rules of evidence.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3512.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Lura and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 802, a bill for an act relating to gifts allowed under the uniform gifts to minors Act.

Recommendation: DO PASS.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Lura and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 816, a bill for an act regulating the offer and sale of business opportunities and providing penalties for violations.

Recommendation: DO PASS.

Final Vote: Ayes, 12: DeKoster, Kudart, Rush, Baugher, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray, Ramsey and Taylor. Nays, none. Absent or not voting, 2: Small and Lura.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 822, a bill for an act relating to the administration of small estates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3513.

Final Vote: Ayes, 10: DeKoster, Baugher, Rush, Carr, Coleman, Deluhery, Doyle, Dreeszen, Murray and Taylor. Nays, 2: Kudart and Ramsey. Absent or not voting, 2: Small and Lura.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 9:20 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: April 16, 1981, 8:32 a.m.

Members Present: Hulse, Chairperson; Carney, Vice Chairperson; Anderson, Ranking Member; Goodwin, Hultman and Wells.

Members Absent: Brown, Gratias (excused) and Kinley (excused).

Final Bill Action: Senate Concurrent Resolution 24, a resolution requesting the legislative council to authorize a joint interim study committee to study worker's compensation insurance coverage.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hulse, Carney, Anderson, Goodwin, Hultman and Wells. Nays, none. Absent or not voting, 3: Brown, Gratias and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 789, a bill for an act relating to unemployment compensation by mandating rate table three for calendar years 1982 and 1983, by modifying the qualifications for a zero contribution rate, by extending the time period for set contribution rates for certain new employers, by surcharging the contribution rates of certain employers with negative balance accounts, by relieving reimbursable employers of certain charges paid to part-time employees, by providing for the deduction of only a portion of pension or retirement payments, by making changes in conformity with federal requirements regarding job service's fiscal year, taxation of separation pay, release of information to child support enforcement agencies, and extended benefit contribution, eligibility, and requalification requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hulse, Carney, Anderson, Goodwin, Hultman and Wells. Nays, none. Absent or not voting, 3: Brown, Gratias and Kinley.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Adjourned: 8:39 a.m.

NATURAL RESOURCES

Convened: April 16, 1981, 8:10 a.m.

Members Present: Schwengels, Chairperson; Goodwin, Vice Chairperson; Van Gilst, Ranking Member; Gentleman, Gallagher and Rodgers.

Members Absent: Kudart (excused), Tieden and Hutchins.

Final Bill Action: House File 772, a bill for an act establishing a hunter safety and ethics education program and subjecting violators to a penalty, to be effective July 1, 1983.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3511.

Final Vote: Ayes, 6: Schwengels, Goodwin, Van Gilst, Gentleman, Gallagher and Rodgers. Nays, none. Absent or not voting, 3: Kudart, Tieden and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 8:25 a.m.

STATE GOVERNMENT

Convened: April 16, 1981, 2:30 p.m.

Members Present: Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

Members Absent: none.

Final Bill Action: House File 726, a bill for an act relating to nonconforming facilities under the state elevator code.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 821, a bill for an act relating to substance abuse programs by making changes in facility licensing and auditing requirements by abolishing the state advisory council on substance abuse, by allowing contracts for education and prevention services, by authorizing inspections, by extending operations of the Iowa department of substance abuse through 1983, by providing for a program evaluation of the department and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 826, a bill for an act relating to certain obligations under chapter 258A of licensees under chapter 116.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Nystrom, Briles, Lura, Slater, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 829, a bill for an act relating to the investigations, communications and reports of the citizens' aide office.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Craft, Drake, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none. Absent or not voting, 2: Carr and Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 3:40 p.m.

WAYS AND MEANS

Convened: April 16, 1981, 1:36 p.m.

Members Present: Craft, Chairperson; Rodgers, Ranking Member; Hester, Holden (arrived 2:10 p.m.), Hultman (arrived 2:00 p.m.), Husak, Junkins (arrived 1:50 p.m.), Lura, Palmer, Priebe, Rush, Taylor and Van Gilst.

Members Absent: Readinger, Vice Chairperson and Ramsey.

Final Bill Action: Senate File 105, a bill for an act relating to the valuation of land used for wildlife habitat purposes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3517.

Final Vote: Ayes, 10: Craft, Rodgers, Hester, Husak, Junkins, Lura, Palmer, Priebe, Taylor and Van Gilst. Nays, 1: Rush. Absent or not voting, 4: Readinger, Holden, Hultman and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 642, a bill for an act relating to boiler inspections.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Craft, Rodgers, Hester, Hultman, Palmer, Rush, Taylor and Van Gilst. Nays, 4: Husak, Junkins, Lura and Priebe. Absent or not voting, 3: Readinger, Holden and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 324 as amended as a committee bill; approved SSB 393 as a committee bill; deferred SSBs 394 and 404.

Adjourned: 3:00 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Forty students from Roosevelt Elementary School, Ames, Iowa, accompanied by Nathan O. Tosten and Jay C. Simser. Senator Murray.

AMENDMENTS FILED

S—3508	H.F.	303	Richard Vande Hoef
S—3509	S. F.	235	House Amendment
S—3510	H.F.	738	Forrest V. Schwengels
S—3511	H.F.	772	Natural Resources Committee
S—3512	H.F.	779	Judiciary Committee
S—3513	H.F.	822	Judiciary Committee
S—3514	H.F.	771	Commerce Committee
S—3515	H.F.	766	Energy Committee
S—3516	H.F.	804	Dick Ramsey
S—3517	S. F.	105	Ways and Means Committee

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 3:10 p.m., until 10:00 a.m., Tuesday, April 21, 1981.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 21, 1981

The Senate met in regular session at 10:00 a.m., President Branstad presiding.

Prayer was offered by the Reverend Nancy Jensen, pastor of the Exira Federated United Church, Exira, Iowa.

The Journal of Thursday, April 16, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Tom Bergstrom, M.D., Winterset, Iowa.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 320, a bill for an act relating to the performance of audiometric examinations under the Iowa occupational hearing loss Act.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 25

By: Gallagher, Tieden and Priebe

- 1 *Whereas*, the department of health, department of
- 2 environmental quality, Iowa natural resources council,
- 3 Iowa state commerce commission, state conservation com-
- 4 mission, department of soil conservation, Iowa geological
- 5 survey, state hygenics laboratory, water resources
- 6 institute of Iowa state university, and the state
- 7 building code commissioner all have roles in programs
- 8 affecting the state's water supply and distribution

9 systems; and
 10 *Whereas*, the diffusion of these responsibilities
 11 among all these agencies may result in a lack of
 12 focus or coordination regarding water policy; *Now*
 13 *Therefore*,
 14 *Be It Resolved by the Senate, the House Concurring*,
 15 That the legislative council is authorized to established
 16 an interim study committee composed of members of the
 17 standing committees and appropriations subcommittees
 18 on natural resources of the senate and house of
 19 representatives. The interim study committee may
 20 request a performance evaluation by the legislative
 21 fiscal bureau on the subject of the responsibilities
 22 of these agencies regarding water supply and distribu-
 23 tion during the 1981 legislative interim.

Read first time and **passed on file.**

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILLS (Noncontroversial Calendar)

House File 438

On motion of Senator DeKoster, House File 438, a bill for an act relating to laws which restrict the receipt of gifts by employees of the department of banking, with report of committee recommending passage, was taken up for consideration.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 438) the vote was:

Ayes, 47:

Anderson	Baugher	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin

Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 1:

Gentleman

Absent or not voting, 2:

Brown Gratias

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 164

On motion of Senator Jensen, House File 164, a bill for an act to authorize the state department of transportation to transfer unused right of way by quit claim deed to a county for the use and benefit of the county conservation board, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 164) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Brown Gratias

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 Van Gilst, House File 465, a bill for an act relating to the preparation of the farm unit soil conservation folder and plan, with report of committee recommending passage, was taken up for consideration.

Senator Van Gilst moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 465) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Brown Gratias

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 729

On motion of Senator Coleman, House File 729, a bill for an act to extend the temporary operating authority to forty-five days for commercial vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 729) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Brown Gratias

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 724

On motion of Senator Carney, House File 724, a bill for an act to modify the requirement that boards of directors of districts proposing to issue general obligation bonds for school building construction or renovation must hold a meeting with the area education agency boards and boards of adjoining school districts, with report of committee recommending passage, was taken up for consideration.

Senator Carney moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 724) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Brown	Gratias	Lura
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House Concurrent Resolution 8

On motion of Senator Hultman, House Concurrent Resolution 8, a resolution directing the Governor to designate March 21 of each year as Bird Day, with report of committee without recommendation, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 8, which motion prevailed by a voice vote.

House File 731

On motion of Senator Kudart, House File 731, a bill for an act relating to criminal investigative data, criminal history data, intelligence data, and the confidentiality of peace officers' investigative reports, with report of committee recommending passage, was taken up for consideration.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 731) the vote was:

Ayes, 46:

Anderson	Bisenius	Briles	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Baughner	Brown	Gratias	Lura
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 754

On motion of Senator Comito, House File 754, a bill for an act relating to motor vehicle reports and records, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3459 filed by him on April 10, 1981, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3459 be adopted?" (H.F. 754) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Bisenius	Carr	Comito	DeKoster
Drake	Goodwin	Hulse	Hultman
Jensen	Junkins	Kinley	Miller, A.V.

Murray	Palmer	Ramsey	Readinger
Rush	Taylor	Vande Hoef	Wells
Yenger			

Nays, 23:

Anderson	Briles	Carney	Coleman
Deluhery	Doyle	Dreeszen	Gallagher
Gentleman	Hester	Holden	Husak
Hutchins	Kudart	Miller, C.P.	Nystrom
Priebe	Rodgers	Schwengels	Slater
Tieden	Van Gilst	Waldstein	

Absent or not voting, 6:

Baughner	Brown	Craft	Gratias
Lura	Small		

Amendment S—3459 lost.

Senator Rush asked and received unanimous consent that action on **House File 754** be **deferred**.

House File 186

On motion of Senator Taylor, House File 186, a bill for an act relating to the permissible use of proceeds of property sold by a county board of hospital trustees, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Briles offered amendment S—3219 filed by the committee on County Government on March 19, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3219 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 186) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake

Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Brown	Craft	Gratias	Lura
Ramsey	Small		

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 186 passed the Senate on April 21, 1981.

RAY TAYLOR

UNFINISHED BUSINESS (Deferred March 25, 1981)

House File 547

The Senate resumed consideration of House File 547, a bill for an act relating to permissible loans and real property purchases by a life insurance company, deferred on March 25, 1981.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 547) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Gentleman	Goodwin	Holden	Hulse

Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 3:

Coleman	Dreeszen	Gallagher
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Absent or not voting, 5:

Brown	Gratias	Hester	Lura
Ramsey			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Kudart asked and received unanimous consent that **Senate File 296** be withdrawn from further consideration of the Senate.

Senator Taylor asked and received unanimous consent that **Senate 128** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 25, 1981)

House File 730

The Senate resumed consideration of House File 730, a bill for an act exempting certain security information of adult correctional institutions for public disclosure, deferred on March 25, 1981.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 730) the vote was:

Ayes, 44:

Anderson	Baughar	Bisenius	Carney
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Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Briles	Brown	Gratias	Lura
Ramsey	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Rush asked and received unanimous consent that **Senate File 337** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 7, 1981)

House File 293

The Senate resumed consideration of House File 293, a bill for an act creating a revolving farm fund for the department of social services, effective upon publication, and amendment S—3312 by Senator Priebe, deferred on April 7, 1981.

Senator Priebe offered amendment S—3413 filed by Senators DeKoster and Priebe on April 7, 1981, to amendment S—3312 and moved its adoption.

Amendment S—3413 was adopted by a voice vote.

Senator Priebe filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3413 to amendment S—3312 to House File 293 was adopted by the Senate on April 21, 1981.

The motion prevailed by a voice vote and amendment S—3413 was taken up for reconsideration.

Senator Priebe asked and received unanimous consent to withdraw amendment S—3413 to amendment S—3312.

Senator DeKoster offered amendment S—3414 filed by him on April 7, 1981, to amendment S—3312, moved its adoption and requested a non record roll call.

The ayes were 36, nays 12.

Amendment S—3414 was adopted.

With the adoption of amendment S—3414, the Chair ruled amendment S—3423 filed by Senators Waldstein, et al., on April 8, 1981, to amendment S—3312, out of order.

Senator Priebe moved the adoption of amendment S—3312 as amended, which motion prevailed by a voice vote.

Senator Deluhery offered amendment S—3253 filed by Senators Deluhery and Priebe on March 25, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3253 was adopted by a voice vote.

Senator Priebe offered amendment S—3308 filed by him on April 1, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3308 was adopted by a voice vote.

Senator Priebe moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 293) the vote was:

Ayes, 48:

- | | | | |
|-----------|----------|----------|-----------|
| Anderson | Baughner | Bisenius | Briles |
| Brown | Carney | Carr | Coleman |
| Comito | Craft | DeKoster | Deluhery |
| Doyle | Drake | Dreeszen | Gallagher |
| Gentleman | Goodwin | Gratias | Hester |
| Holden | Hulse | Hultman | Husak |
| Hutchins | Jensen | Junkins | Kinley |

Kudart	Miller, A.V.	Miller, E.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 1:

Small

Absent or not voting, 1:

Lura

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REQUEST TO REFER BILLS TO COMMITTEE DEFERRED

Senator Hultman asked unanimous consent that the following bills on the Regular Calendar no longer eligible for consideration under Joint Rule 18 be referred to committee:

S. F.	141	Labor and Industrial Relations
S. F.	145	State Government
S. F.	156	Judiciary
S. F.	243	Judiciary
S. F.	281	Cities
S. F.	323	Ways and Means
S. F.	344	Transportation
S. F.	356	Judiciary
S. F.	371	County Government
S. F.	374	Cities
S. F.	387	State Government
S. F.	396	County Government
S. F.	403	Transportation
S. F.	404	Transportation
S. F.	428	Human Resources
S. F.	429	Agriculture
S. F.	430	Education
S. F.	433	Judiciary
S. F.	434	Judiciary
S. F.	449	Natural Resources

S. F.	451	Natural Resources
S. F.	453	County Government
S. F.	454	County Government
S. F.	460	County Government
S. F.	462	County Government
S. F.	465	Labor and Industrial Relations
S. F.	467	Human Resources
S. F.	471	Human Resources
S. F.	476	Cities
S. F.	477	Cities
S. F.	478	State Government
S. F.	481	Commerce
S. F.	483	State Government
S. F.	486	Energy
S. F.	488	Judiciary
S. F.	493	Judiciary
S. F.	498	County Government
S. F.	499	County Government
S. F.	502	Natural Resources
S. F.	504	Natural Resources
S. F.	505	Cities
S. F.	510	Agriculture
S. F.	512	Judiciary
S. F.	525	Commerce
S. F.	534	Human Resources
S. F.	536	Human Resources
S. F.	537	Human Resources
S. F.	538	State Government

Senator Junkins asked and received unanimous consent that action on the request of Senator Hultman be temporarily deferred.

RECESS

On motion of Senator Hultman, the Senate recessed at 12:05 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:45 p.m., President Branstad presiding.

INTRODUCTION OF BILL

Senate File 549, by Committee on Ways and Means, a bill for an act relating to the taxable status of property acquired in connection with the establishment, improvement, and maintenance of a public road and the collection of property taxes on the property.

Read first time and **placed on calendar**.

BUSINESS PENDING

(Deferral of Unanimous Consent Request)

The Senate resumed consideration of the unanimous consent request by Senator Hultman during the morning session to refer the Senate Files on the Regular Calendar no longer eligible for consideration under Joint Rule 18 to committee.

Senator Hultman asked and received unanimous consent that the bills listed during the morning session be referred from the Regular Calendar to their respective committee with the exception of **Senate File 323**.

RESOLUTIONS REFERRED TO COMMITTEE

President Branstad announced that **Senate Concurrent Resolutions 20, 21, 23 and 24** were referred from the Regular Calendar to the committee on **Rules and Administration**.

UNFINISHED BUSINESS

(Deferred April 8, 1981)

House File 746

The Senate resumed consideration of House File 746, a bill for an act relating to the issuance by the commissioner of health of citations to health care facilities, deferred on April 8, 1981.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 746) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Craft Lura

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gratias asked and received unanimous consent that **Senate File 472** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 8, 1981)

House File 765

The Senate resumed consideration of House File 765, a bill for an act relating to the use of chapters 663 and 663A of the Code by persons convicted of, or sentenced for, a public offense, deferred on April 8, 1981.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 765) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Readinger
Rodgers	Rush	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Lura	Ramsey	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Doyle asked and received unanimous consent that **Senate File 473** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 8, 1981)

House File 292

The Senate resumed consideration of House File 292, a bill for an act providing that domestic fire and casualty insurers may engage in certain options transactions, deferred on April 8, 1981.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 292) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
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Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Rodgers	Rush
Schwengels	Slater	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Comito	Lura	Ramsey	Readinger
Small			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Kudart asked and received unanimous consent that **Senate File 495** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 8, 1981)

House File 768

The Senate resumed consideration of House File 768, a bill for an act requiring the commissioner of insurance to adopt rules relating to minimum standards for group medicare supplement contracts that are consistent with rules adopted with respect to individual medicare supplement contracts, deferred on April 8, 1981.

Senator Carr offered amendment S—3523 filed by him from the floor to page 1 of the bill.

Senator DeKoster raised the point of order that amendment S—3523 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3523 out of order.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 768) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Ramsey	Small	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator DeKoster asked and received unanimous consent that **Senate File 419** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 10, 1981)

House File 804

The Senate resumed consideration of House File 804, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions, deferred on April 10, 1981.

Senator Rush offered amendment S—3457 filed by him on April 10, 1981, to page 2 of the bill and moved its adoption.

Amendment S—3457 was adopted by a voice vote.

Senator Carr offered amendment S—3516 filed by Senator Ramsey on April 16, 1981, to pages 2, 4, 15, 17 and 28 of the bill.

Senator Carr asked and received unanimous consent that action on amendment S—3516 be deferred.

Senator Craft offered amendment S—3470 filed by Senators Craft and Drake on April 13, 1981, to page 15 of the bill.

Senator Taylor called for a division of amendment S—3470: lines 3 through 5 as division S—3470A; lines 6 and 7 as division S—3470B.

Senator Taylor raised the point of order that division S—3470A was not germane to the bill.

The Chair ruled the point well taken and division S—3470A out of order.

Senator Craft asked and received unanimous consent to withdraw division S—3470B.

Senator Carr offered amendment S—3479 filed by him on April 13, 1981, to pages 18 and 27 of the bill and moved its adoption.

Amendment S—3479 was adopted by a voice vote.

Senator Yenger offered amendment S—3458 filed by Senators Yenger, Slater and Drake on April 10, 1981, to page 30 of the bill.

Senator DeKoster raised the point of order that amendment S—3458 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3458 out of order.

Senator Ramsey moved the adoption of amendment S—3516 to pages 2, 4, 15, 17 and 28 of the bill, previously deferred, which motion prevailed by a voice vote.

Senator Doyle offered amendment S—3524 filed by him from the floor to page 27 of the bill and moved its adoption.

Amendment S—3524 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 804) the vote was:

Ayes, 44:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 2:

Gallagher Miller, C.P.

Absent or not voting, 4:

Hester Kinley Palmer Ramsey

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Carr asked and received unanimous consent that **Senate File 491** be withdrawn from further consideration of the Senate.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 804 passed the Senate on April 21, 1981.

BOB CARR

REPORT OF THE STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

S.R. 13
H.F. 789
H.F. 771
H.F. 806
H.F. 821
H.F. 767
H.F. 728
H.F. 756
S.J.R. 13

CALVIN O. HULTMAN, Chairperson

CONSIDERATION OF RESOLUTION (Steering Calendar)

Senate Resolution 13

On motion of Senator Gentleman, Senate Resolution 13, a resolution designating the week of April 26 through May 2, 1981, as recognition of the Days of Remembrance of Victims of the Holocaust, filed April 13, 1981, and found on page 1235 of the Senate Journal, was taken up for consideration.

Senator Gentleman moved the adoption of Senate Resolution 13, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Steering Calendar)

House File 789

On motion of Senator Carney, House File 789, a bill for an act relating to unemployment compensation by mandating rate table three for calendar years 1982 and 1983, by modifying the qualifications for a zero contribution rate, by extending the time period for set contribution rates for certain new employers, by surcharging the contribution rates of certain employers with negative balance accounts, by relieving reimbursable employers of certain charges paid to part-time employees, by providing for the deduction of only a portion of pension or retirement payments, by making changes in conformity with federal requirements regarding job service's fiscal year, taxation of separation pay, release of information to child support enforcement agencies, and extended benefit contribution, eligibility, and requalification requirements, with report of committee recommending passage, was taken up for consideration.

Senator Carney moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 789) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Miller, A.V.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Van Gilst	Waldstein	Wells
Yenger			

Nays, 5:

Craft	Gentleman	Lura	Miller, C.P.
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 771

On motion of Senator Holden, House File 771, a bill for an act relating to the regulation of public utilities by providing for the continuing audit of utility operations, the review of annual reports by the commission, the exemption of certain telephone companies from rate regulation, the exemption of certain water companies from commission regulation, the retroactive refund of excess charges collected after notice to the utility, the requirement that the commission approve temporary rates to be collected during rate-making proceedings, and time limitations for commission decisions in rate-making proceedings, a commerce commission investigation of the practice of allowing a public utility to recover advertising costs from its customers, to take effect upon publication, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that action on **House File 771** be **deferred**.

House File 806

On motion of Senator Miller of Des Moines, House File 806, a bill for an act to delay implementation of administrative rules establishing minimum standards for county jails, with report of committee recommending passage, was taken up for consideration.

Senator Schwengels asked and received unanimous consent that action on **House File 806** be **deferred**.

House File 821

On motion of Senator Slater, House File 821, a bill for an act relating to substance abuse programs by making changes in facility licensing and auditing requirements by abolishing the state advisory council on substance abuse, by allowing contracts for education and prevention services, by authorizing inspections, by extending operations of the Iowa department of substance abuse through 1983, by providing for a program evaluation of the department and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Rush asked and received unanimous consent that action on **House File 821** be **deferred**.

UNFINISHED BUSINESS (Deferred March 25, 1981)

House File 727

The Senate resumed consideration of House File 727, a bill for an act to allow the permits to practice for certified public accountants, public accountants, and accounting practitioners to be multi-year permits, deferred on March 25, 1981.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 727) the vote was:

Ayes, 48:

Anderson

Bisenius

Briles

Brown

Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Baughner Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Lura asked and received unanimous consent that **Senate File 437** be withdrawn from further consideration of the Senate.

BUSINESS PENDING

House File 806

The Senate resumed consideration of House File 806, previously deferred.

Senator Craft took the chair at 3:45 p.m.

Senator Miller of Des Moines moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 806) the vote was:

Ayes, 33:

Bisenius	Briles	Carney	Carr
Craft	Drake	Dreeszen	Gallagher
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Ramsey	Rodgers	Schwengels

Taylor
Yenger

Tieden

Van Gilst

Waldstein

Nays, 17:

Anderson
Comito
Gentleman
Rush
Wells

Baughner
DeKoster
Holden
Slater

Brown
Deluhery
Murray
Small

Coleman
Doyle
Readinger
Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Priebe asked and received unanimous consent that **Senate File 406** be withdrawn from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED (Deferred April 16, 1981)

Senate File 130

The Senate resumed consideration of Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government, and House amendment S—3468, deferred on April 16, 1981.

Senator Briles asked and received unanimous consent that action on **Senate File 130** and House amendment S—3468 be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 114

Senator Carney called up for consideration Senate File 114, a bill for an act to provide for the reversion of all unencumbered balances in the depreciation fund of the state vehicle dispatcher as of November 30, 1980, to the general fund of the state, amended by the House, and moved that the Senate concur in House amendment S—3249 filed March 25, 1981, and found on page 951 of the Senate Journal.

A non record roll call was requested.

The ayes were 48, nays none.

The motion prevailed and the Senate concurred in the House amendment.

Senator Carney moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 114) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 821

The Senate resumed consideration of House File 821, previously deferred.

Senator Slater moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 821) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPENDIX**BILL SIGNED BY THE GOVERNOR**

A communication was received announcing that on April 20, 1981, the Governor approved and transmitted to the Secretary of the State the following bill:

H.F. 775—Providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels.

EXPLANATIONS OF VOTES

MR. PRESIDENT: Due to a speaking commitment at the Iowa Talented and Gifted Legislative Breakfast on April 21, 1981, from 10:00 a.m. to 11:30 a.m., I missed voting on the following bills: House Files 164, 186, 438, 465, 724, 729, 731 and House Concurrent Resolution 8.

Had I been present, I would have voted "aye" on all of the above.

JOE BROWN

MR. PRESIDENT: Due to my participation on a panel discussion for the Gifted and Talented Program, I was absent from the Senate chamber on April 21, 1981, when the final vote was taken on the following bills: House Files 164, 186, 438, 465, 547, 724, 729, 730, 731 and House Concurrent Resolution 8.

Had I been present, I would have voted "aye" on these bills.

ARTHUR L. GRATIAS

STUDY BILL RECEIVED**S.S.B. 405 Ways and Means**

Relating to the inheritance tax by reducing the time period for filing and paying the tax, by increasing the individual exemptions allowed for a surviving spouse, son, daughter, father, mother, and other lineal descendants, by increasing the size of the estate under which no tax is owed, and providing a January 1 effective date for some provisions.

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following

bills to committee:

H.F.	761	Appropriations
H.F.	797	Cities
H.F.	834	County Government

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3459 to House File 754 failed to be adopted by the Senate on April 21, 1981.

CHARLES P. MILLER

FURTHER
REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 1316 of the Senate Journal.

Final Bill Action: House File 467, a bill for an act relating to the rules of the fire marshal.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3519.

Final Vote: Ayes, 12: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Hutchins, Palmer, Schwengels and Tieden. Nays, 2: Gentleman and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 743, a bill for an act to amend the definitions contained in, and to revise the disclosure requirements, compliance procedures, and penalties prescribed by the campaign disclosure-income tax checkoff Act.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3520.

Final Vote: Ayes, 11: Nystrom, Lura, Slater, Briles, Carr, Drake, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, 1: Craft. Absent or not voting, 2: Gallagher and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 783, a bill for an act relating to the licensing and examining boards, including the board of medical examiners, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3518.

Final Vote: Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels, Craft and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 792, a bill for an act relating to the administration of the Iowa national guard facilities, and appropriating income from national guard property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3521.

Final Vote: Ayes, 7: Nystrom, Lura, Briles, Craft, Drake, Schwengels and Tieden. Nays, 5: Slater, Carr, Gallagher, Hutchins and Palmer. Voting present, 2: Gentleman and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

WAYS AND MEANS*

*A previous report of this meeting was recorded on page 1318 of the Senate Journal.

Final Bill Action: Senate File 549, a bill for an act relating to the taxable status of property acquired in connection with the establishment, improvement, and maintenance of a public road and the collection of property taxes on the property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Craft, Rodgers, Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 2: Readinger and Ramsey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: April 16, 1981, 8:35 a.m.

Members Present: Jensen, Chairperson; Gratias, Hulse and C. Miller.

Members Absent: Rush, Ranking Member.

Other Committee Business: Review of Iowa Beer and Liquor Control Department; adopted a resolution to invite public to send inquiries or comments regarding the liquor department.

Adjourned: 8:45 a.m.

APPROPRIATIONS

Convened: April 16, 1981, 11:40 a.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius, Carney, Deluhery (arrived 11:48 a.m.), Hultman, Jensen, Junkins, Ramsey, Rush (arrived 11:45 a.m.), Slater, Small, Van Gilst, Waldstein and Yenger.

Members Absent: Schwengels.

Other Committee Business: Discussed SSB 317.

Adjourned: 12:10 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Husak from six hundred seventy-five residents of Tama County opposing the closing of the Toledo Juvenile Home in Toledo, Iowa.

Senator Gallagher from fifty-nine residents of Black Hawk County opposing legislation providing that money in the IPERS fund can be invested in loans secured by real estate mortgages for owner-occupied residential property.

Senator Briles from thirty-three residents of Taylor and Page Counties supporting funding for the negotiated contract between the state of Iowa and its employees.

PRESENTATION OF VISITORS

President Branstad welcomed Mohamed Warsama, Senior

Writer for Nation Newspapers, Nairobi, Kenya, who was present in the Senate chamber as the guest of Senator Craft.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty students from Logan-Magnolia Community School, Logan, Iowa, accompanied by Lowell F. Arps, Linda Bresee and James Rider. Senator Hester.

Seventy-five students from Southeast Elementary School, Ankeny, Iowa, accompanied by Mrs. Plantz, Mrs. Devand and Mr. Bell. Senator Baugher.

AMENDMENTS FILED

S—3518	H.F.	783	State Government Committee
S—3519	H.F.	467	State Government Committee
S—3520	H.F.	743	State Government Committee
S—3521	H.F.	792	State Government Committee
S—3522	S. F.	548	John S. Murray John W. Jensen
S—3523	H.F.	768	Bob Carr
S—3524	H.F.	804	Donald V. Doyle
S—3525	H.F.	771	Gary L. Baugher
S—3526	H.F.	754	Bob Rush
S—3527	H.F.	816	Dick Ramsey Lucas J. DeKoster Joe Brown Patrick J. Deluhery
S—3528	H.F.	767	Dick Ramsey
S—3529	H.F.	767	Calvin O. Hultman
S—3530	S. F.	130	Julia Gentleman

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:02 p.m., until 9:00 a.m., Wednesday, April 22, 1981.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 22, 1981

The Senate met in regular session at 9:10 a.m., President Branstad presiding.

Prayer was offered by the Reverend Robert Jacobsen, pastor of the St. John Lutheran Church, Cedar Falls, Iowa.

The Journal of Tuesday, April 21, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Rod Carlson, M.D., Ankeny, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Briles for the day and Senator Carney for the afternoon session on request of Senator Hultman.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION 31

By: Schroeder, Branstad, Pellett, Lloyd-Jones, Cochran,
Avenson, Byerly, Kirkenlager, Bruner, Holt,
Anderson of Jasper, Binneboese, Oxley, O'Kane, Tyrrell,
Davitt, Chiodo, Hall, Woods, Norland, Rapp, Pavich,
Dieleman, Carl, McKean, Conlon, Groth, Doderer, Stueland,
Swartz and Welsh

- 1 *Whereas*, railroad transportation is vital to the continued
- 2 prosperity of commerce and agriculture in Iowa; and
- 3 *Whereas*, Iowa's railroads in recent years have moved more
- 4 than 70% of the grain exported from Iowa; and

5 *Whereas*, the core of Iowa's railroad system for more than
6 100 years consisted of 1,575 miles of track extending east-
7 west and north-south through the central portions of Iowa;
8 and

9 *Whereas*, that core system is now awaiting liquidation by
10 the trustee upon order of the bankruptcy court; and

11 *Whereas*, the trustee in fulfilling his duties may be forced
12 to dismantle Iowa's railroad core system, causing a major
13 transportation problem for Iowa and damaging the nation's
14 economic interest in a viable rail industry; and

15 *Whereas*, the dismantling of Iowa's rail system will have
16 serious repercussions to prices received by farmers, to costs
17 incurred by businesses and to the economy of the state as
18 a whole; and

19 *Whereas*, the state as a last resort must act to insure
20 that the heartland system remains intact; *Now Therefore*,

21 *Be It Resolved by the House of Representatives, the Senate*
22 *Concurring*, That the Iowa General Assembly act immediately
23 to inform the trustee of the bankrupt rail system of Iowa's
24 intent to act to preserve the core system, including the
25 mainlines from Minneapolis to Kansas City and Chicago to
26 Omaha, and important branchlines in the state; and

27 *Be It Further Resolved*, That the legislature direct the
28 Iowa Department of Transportation and the Iowa Railway Finance
29 Authority to recommend possible courses of action that would
30 preserve the system; and

Page 2

1 *Be It Further Resolved*, That the Iowa's plan for preservation
2 of the core be flexible enough to allow state and local
3 governments, private industry, shipper's associations and
4 other interested parties to participate; and

5 *Be It Further Resolved*, That Iowa's General Assembly call
6 upon the Congress of the United States to address the
7 bankruptcy laws concerning railroads and enact necessary
8 changes protecting state and national interest in a viable
9 transportation system to allow for reasonable return to
10 creditors without destroying the integrity of essential lines;
11 and

12 *Be It Further Resolved*, That copies of this Resolution
13 be forwarded to the members of the Iowa Transportation
14 Commission, the members of the Iowa Railway Finance Authority,
15 the Director of the Iowa Department of Transportation, the
16 Governor of Iowa, the Trustee of the Rock Island, the President
17 of the Chicago and Northwestern Transportation Company, the
18 President of the Kansas City Southern Lines, the President
19 of the Atchison, Topeka & Santa Fe Railway, the President
20 of the Burlington Northern Incorporated, the President of
21 Chicago, Milwaukee, St. Paul & Pacific, the President of

22 Illinois Central Gulf Railroad, the President of Norfolk &
 23 Western Railway Company, the President of Union Pacific
 24 Railroad, the President of Chicago, Rock Island & Pacific,
 25 the President of Iowa Terminal Railroad, the President of
 26 Electric Railroad, the President of Cedar Rapids & Iowa City
 27 Railroad, the President of Davenport, Rock Island & North
 28 Western, the President of Des Moines & Central Iowa Railway,
 29 the President of Des Moines Terminal Company, the President
 30 of Des Moines Union Railway, the President of Fort Dodge,

Page 3

1 Des Moines & Southern Railway, the President of Iowa Transfer
 2 Railway Company, the President of Waterloo Railroad Company,
 3 and the members of the Iowa Congressional Delegation.

Read first time and passed on file.

INTRODUCTION OF BILL

Senate File 550, by Hultman and Junkins, a bill for an act relating to the regulation of issuers of short-term investor securities, and providing penalties.

Read first time and passed on file.

HOUSE AMENDMENTS CONSIDERED

Senate File 116

Senator Hester called up for consideration Senate File 116, a bill for an act relating to the state fair board convention, amended by the House by House amendment S—3268 filed March 31, 1981, and found on page 1023 of the Senate Journal.

Senator Hester offered amendment S—3409 filed by him on April 6, 1981, to House amendment S—3268 and moved its adoption.

Amendment S—3409 was adopted by a voice vote.

Senator Kinley asked and received unanimous consent to withdraw amendment S—3493 filed by Senators Yenger and Kinley on April 14, 1981, to House amendment S—3268.

Senator Hester moved that the Senate concur in House amendment S—3268 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Hester 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 by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 116) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, none.

Absent or not voting, 3:

Briles	Comito	Yenger
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 235

Senator Kinley called up for consideration Senate File 235, a bill for an act to prohibit the possession and operation of a radar jamming device and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—3509 filed April 16, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Kinley moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 235) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, 1:

Doyle

Absent or not voting, 2:

Briles Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 21, 1981)

House File 754

The Senate resumed consideration of House File 754, a bill for an act relating to motor vehicle reports and records, deferred on April 21, 1981.

Senator Rush offered amendment S—3526 filed by him on April 21, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3526 was adopted by a voice vote.

Senator Miller of Des Moines called up the motion to reconsider the vote by which amendment S—3459 to House File 754 failed to be adopted by the Senate on April 21, 1981, filed by him on April 21, 1981, found on page 1349 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 19.

The motion prevailed and amendment S—3459 by Senator Drake was taken up for reconsideration.

Senator Drake moved the adoption of amendment S—3459 to page 1 of the bill and requested a record roll call.

On the question "Shall amendment S—3459 be adopted?" (H.F. 754) the vote was:

Ayes, 30:

Baughner	Bisenius	Carney	Carr
Comito	Craft	DeKoster	Drake
Dreeszen	Goodwin	Holden	Hulse
Hultman	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Ramsey	Readinger	Rush
Schwengels	Slater	Small	Taylor
Vande Hoef	Yenger		

Nays, 17:

Anderson	Brown	Deluhery	Doyle
Gallagher	Gratias	Hester	Husak
Hutchins	Kudart	Lura	Priebe
Rodgers	Tieden	Van Gilst	Waldstein
Wells			

Absent or not voting, 3:

Briles	Coleman	Gentleman
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Amendment S—3459 was adopted.

Senator Priebe asked and received unanimous consent that action on House File 754 be deferred.

CONSIDERATION OF BILLS (Steering Calendar)

House File 413

On motion of Senator Lura, House File 413, a bill for an act relating to the fee collected for copies of records by the department

of health, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lura offered amendment S—3193 filed by the committee on State Government on March 16, 1981, to pages 1 and 2 of the bill.

Senator Carney took the chair at 10:35 a.m.

Senator Husak called for a division of amendment S—3193: lines 3 through 14 as division S—3193A; lines 15 and 16 as division S—3193B.

Senator Lura moved the adoption of division S—3193A, which motion prevailed by a voice vote.

Senator Husak asked unanimous consent that action on division S—3193B be deferred for consideration of amendment S—3097.

Objection was raised by Senator Miller of Des Moines.

Senator Miller of Des Moines withdrew his objection and division S—3193B was deferred.

Senator Husak asked and received unanimous consent that action on **House File 413** be deferred.

House File 728

On motion of Senator Jensen, House File 728, a bill for an act relating to the movement of mobile homes and factory-built structures with a width not exceeding sixteen feet under permit, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 728) the vote was:

Ayes, 30:

Bisenius	Carney	Carr	Comito
Deluhery	Doyle	Drake	Dreeszen
Goodwin	Gratias	Hulse	Hultman
Husak	Hutchins	Jensen	Kinley
Lura	Miller, A.V.	Miller, C.P.	Murray

Priebe	Ramsey	Readinger	Rodgers
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Wells		

Nays, 15:

Anderson	Brown	Craft	DeKoster
Gallagher	Gentleman	Hester	Holden
Junkins	Kudart	Palmer	Rush
Schwengels	Small	Waldstein	

Voting present, 1:

Baughner

Absent or not voting, 4:

Briles	Coleman	Nystrom	Yenger
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:08 a.m., until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:20 p.m., President Branstad presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Slater for the remainder of the week and Senator Hutchins for the afternoon session on request of Senator Junkins.

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 16, 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 - 1:30 p.m.)

In accordance with House Concurrent Resolution 16, duly adopted, the joint convention was called to order, President Branstad presiding.

President Branstad declared a quorum present and the joint convention duly organized.

Senator Hultman moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote and the President appointed as such committee Senator Holden, Senator Miller of Des Moines, Representative Smith of Scott and Representative Cochran of Webster.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Branstad presented Senator Dick Ramsey, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate as follows:

I am delighted to greet all of you today—and am especially happy that this program is taking place after lunch. A story is told of the first gathering of lawmakers which included people from Iowa, although it took place while Iowa was still part of the Wisconsin territory.

The group gathered in Belmont, Wisconsin—a town which was ill prepared for such a large group. Provisions for lodging were inadequate, there was no stable, and even fewer restaurants than there were beds. Of course, the legislators grumbled a lot—and one is recorded as having declared: “Empty stomachs make clear heads, but not good laws! The Lord deliver us from a set of hungry legislators!”

As I look over the group assembled here today, I am sure most of you had full stomachs when you served in the General Assembly.

Today is a suitable day to welcome all of you here—for it is the day we have received the long awaited reapportionment plan from the Legislative Service Bureau. Reapportionment—you all know what that is— that’s the plan which fairly divides the Senate and House districts according to population in as equal a manner as possible—so that each of us here can continue to serve our constituency!

However, it does appear to some of us to make us a part of this body of Pioneer Lawmakers. You don't need to ask the individual legislator as to how he fared in the plan. Just look at the face and see whether they are smiling or not.

Those of you who served here during the sixties well know the problems and the turbulence caused by the reapportionment plans presented. We hope to avoid some of those difficulties this year.

Reapportionment has been a concern of Iowans from the very beginning of our statehood. Our first constitution in 1846 called for a House with no less than 26 members nor more than 39. Section 32 provided that no county was to be divided in forming a congressional, senatorial or representative district. How some of us would like to go back to this!

As far back as 1857, the constitution capped the Senate at 50 members and the House at 100.

The state legislature continued its interest in reapportionment as long as the population of Iowa grew. By 1888, the population seemed to have stabilized, so despite the constitution, the legislature failed to have a reapportionment plan. Constitutional amendments in 1904 and 1928 dealt with reapportionment—but complete reapportionment did not occur until after the 1960 census. The General Assemblies just chose to ignore the entire problem! The Sixty-ninth General Assembly is prepared to face up to its responsibility on this issue.

Many of you are familiar with "Palimpsest", the monthly magazine of the State Historical Society, which has stated that "the history of Iowa may be likened to a palimpsest which holds the record of successive generations. To decipher these records of the past, reconstruct them, and tell the stories which they contain is the task of those who write history."

You, our predecessors in the legislature, helped to decipher the records, to build on those records while writing your own. We are grateful that you were true to the past and to Iowa's heritage. I hope that we who serve today are continuing to build and to remain true to our heritage.

We welcome you today and wish you a happy reunion with old and new friends. Thank you.

President Branstad presented the Honorable Lester Menke, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representative as follows:

Fellow Legislators:

We are gathered in this chamber today to honor you Pioneer Lawmakers, our predecessors in the Iowa Legislature. At least, that's the official reason. I can't help wondering if maybe we don't have, as legislators sometimes do, an ulterior motive. I wonder if we don't have you here to reassure ourselves....the present legislative body.

To reassure ourselves that our problems are not new and insurmountable. You, too, have coped with unemployment and unfavorable market conditions. You, too, have been faced with public pleas for tax relief coupled with demands for continued government assistance that can only be financed with tax dollars.

To reassure ourselves that our efforts are not in vain. Like you, we seem to find ourselves addressing the same problems over and over again. And, as you did before us, we come to realize that situations change and there may not be a perfect, permanent solution. Sometimes we may take ourselves and some of the things we do too seriously as was pointed out to me by a very good friend.

To reassure ourselves that we are part of a continuum. Your presence helps us keep things in perspective—no matter what we do here, we are only one part of that continuum.

And, on the other hand, to reassure ourselves of the value and importance of our role in Iowa's government. We would do well to remember Winston Churchill who said, all great things are simple and most of them can be expressed in single words; freedom, justice, honor, duty, mercy and hope.

We in the Iowa Legislature—past, present and future — are brothers and sisters in those great things — we share a duty to preserve and protect the justice and freedom in which Iowans can pursue a good life. We also share the obligation to perform that duty with honor, in a spirit of mercy and hope.

It's a tall order, but you reassure us that it can be filled.

Now I would say this, the things I have left unsaid have gotten me into the least trouble. For that reason, may I thank you on behalf of the House of Representatives and I am certain the entire state of Iowa thanks you for your past service. We are indeed pleased to welcome each of you today.

President Branstad presented the Honorable John L. Mowry who responded to the welcome and addressed the joint convention as follows:

On behalf of the Pioneer Lawmakers, may I, in response, express our appreciation for the welcome which you have extended to us on behalf of both the Senate and House.

The last time I was on this podium, a Representative called up a bill to tax consumer trading stamps. I didn't know whether it was a point of personal privilege or whether he was in earnest about the bill. He insisted he was in earnest as he was sick and tired of licking stamps. Before we got through, the only thing left to do was to recess the House.

Our presence today may serve to remind you that you have been preceded by others who have some understanding of the problems that face you now annually, for us biannually, and help you realize that things are not as bad as they seem. We did reapportionment biannually, not every ten years.

You know as do we, that in the ultimate performance of your duties, partisanship must be subordinated to that quality of legislative performance which will provide sound legislation for the problems of today together with an enduring foresightedness for the years that lie ahead.

You are indeed the stewards of the state of Iowa with the responsibility for good management and an obligation to make sure that the state is left in as good as condition as it was when you assumed your obligation.

As Pioneer Legislators, we do cherish this opportunity to renew old acquaintances and briefly recall the battles won and lost, our experiences, friendships and remembrances forever enduring.

Mr. Mowry awarded Mr. Otto Weber, former Director of the Iowa Legislative Bulletin Service and the Iowa Daily Press Association, an honorary membership in the Pioneer Lawmakers Association of Iowa.

President Branstad then presented the Honorable Warren J. Rees, retired Justice of the Iowa Supreme Court, who addressed the joint convention as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE SENATE AND MEMBERS OF THE HOUSE, FORMER LEGISLATORS, DISTINGUISHED GUESTS AND LADIES AND GENTLEMEN:

Last last fall your President of the Pioneer Lawmakers Association, John Mowry, called me and asked me to appear and say a few words at the Annual Meeting of the Pioneer Lawmakers Association. I declined, telling him, that I was about to take the first wintertime vacation I had ever enjoyed; and then he told me that the meeting would not be held until some time in April. I then told him to call me early in April, thinking, of course, that some other speaker would be secured in the interim. But, when he did call me, I was still reluctant until he told me that my speech need not be long nor good. When we reached a meeting of the minds on these two conditions, I accepted the invitation to appear here today, and I can assure you now that my speech will not be good, nor will it be long.

At the outset, I want to make reference to the program, and I know that my name appears as James Warren Rees. I have always gone by the name of Warren J. Rees, although I would have to admit if pressed that when I was christened I was named James Warren Rees. This led to considerable confusion in the family circle as both my grandfathers were names James. I had two cousins named James and an uncle named James. There was some thought about asking some of the members of the family, who bore that cognomen, to change, because when someone yelled "Jim," the grandfathers, the uncles, the cousins and all answered the call. In addition to this confusion, my grandfather had a Jersey bull named Jim and a bulldog named Jim. So the bull bellered and the dog barked at the same time.

When my maternal grandfather was approached about changing his name, he declined, as he had been blessed with the middle name Hazel. When you know that he

was 6'4" and weighed 312 pounds and had been a blacksmith all his life, he rebelled, saying that the name Hazel was more fitting a character with more effeminate traits.

My paternal grandfather was a Democrat, so nobody thought to approach him. Neither of my cousins, nor my uncle, were receptive to the name change idea, and of course the change of name of the bull and bulldog was out of the question. Therefore, they started calling me by my middle name.

For a time, I used the first initial, J. Warren Rees. Then I thought that was somewhat of an affectation, so I dropped the initial back to the middle of the name, where I have carried it ever since. I don't know where John Mowry got the information that my name was James Warren Rees, because the only place it appears that I know of is on the records of the Cradle Roll at the Methodist Church or Sunday School in Anamosa, a record made some seventy years ago. But I am sure that this research source was not explored by John.

A few evenings ago, when I began collecting my thoughts to prepare myself for a few remarks today, the thought occurred to me that but for a stroke of fate I, myself, might be one of those honored as a pioneer lawmaker. In 1934, I was a candidate for election to the House of Representatives from my county. At that time, each county had a representative in the lower House of the Iowa Legislature. As Adlai Stevenson remarked after the 1952 election, "A funny thing happened to me on the way to the Statehouse. I was defeated in the election." I know of no provision for defeated candidates to qualify for membership in the Pioneer Lawmakers Association, but if I had been successful forty-six or seven years ago in securing election to the lower House of the Legislature, I would probably be in attendance here today for recognition with the other members of the Association.

I suppose my only other intimate connection with the Iowa General Assembly arises from the fact that as a member of the Iowa Supreme Court in the early 1970's I was designated to write the opinion on the Legislative Redistricting Plan growing out of the litigation instituted by Jean Lloyd-Jones, Louise Noun and others, the opinion under my name having been filed January 14, 1971, with supplemental opinions setting out the details of the plan being filed thereafter, so it might be said I stand somewhat in the relationship of "pater familias" to the legislature as now constituted as all of the present senators and representatives have been elected from districts created by those opinions. I want to acknowledge that all of the members of the Court had a hand in fashioning the districts and we had the advice, counsel and technical assistance of Phil Burks, Serge Garrison, Mark Soldat, Don Hoskins and others, so it might be said the plan was "sired by the Legislative Service Bureau". It might also be said it was "Damned by the members of the legislature who were adversely affected by the plan."

Certainly the plan adopted in 1972 did not meet with universal acclaim. One legislator from eastern Iowa in commenting on the plan made reference to the Supreme Court as being composed of "Nine Jackasses." I hope the current efforts at redistricting can be successfully accomplished without a rancor.

John Mowry suggested that I might try to interject a little humor into my remarks today. I am a little reluctant to try this too, because on a recent occasion, when I was the speaker at a convention of volunteer firefighters, I thought I would have a little sport with them. I remarked in passing that I was very grateful to the volunteer firefighters for the work they did, and I complimented the volunteer fire department in my home town on being one of the finest firefighting organizations in the state. I told the group there assembled that we had had a fire in our town a few weeks before that was in an old house that would probably have burned itself out in a couple of hours, and our department kept it going for three days. My remarks didn't generate much approval with the members of our local fire department, and for a time I was apprehensive that if my house caught fire, it might meet the same fate as did the one I told the group about that night.

As I have never had legislative experience, I think it would be presumptuous of me to stand here today and talk to you about the duties and functions of a legislative body. A good portion of my professional life has been devoted to the third branch of the government, namely the judicial branch. From that vantage point, I recognize that there has been some confusion of the functions of the legislative and judicial branches of the government, and that legislatures are being accused of engaging in judicial functions; and the courts, of course, are being constantly charged with usurping the function of the legislative bodies.

What I do want to do here today is to pay tribute to those legislators who are not serving in the House and Senate in this state, and those who have gone before who are honored today as members of the Pioneer Lawmakers Association. I realize that all of you now serving, and those who have served in the past, have come from homes, farms, shops, factories, stores, schools and offices throughout the length and breadth of this state; and have made the biennial trips and in more recent years the annual trips to Des Moines to perform the very necessary function of enacting measures for the government of the populace of this state. You people now serving, and those who have gone before, have performed selfless and dedicated services to the state of Iowa. As a citizen of Iowa, I want to congratulate each and every one of you for your dedication and selflessness in the work you have performed and are now performing.

I have, from time to time, been an observer in the halls of the legislature and remember some of the fine people who have served here, men and women who have given of their time and talents to further the cause of good government by serving as members of these legislative bodies. The names of a few of these greats come to mind: Dewey Good, Bob Blue, Gus Keaster, Gus Alesch, George O'Malley, Elmer Johnson, Senator Ross Mowry, and many others whose voices still ring in these halls. I believe, if memory serves me, the first woman elected to service in the legislature was Senator Carolyn Pendray of Jackson County. While I was not intimately acquainted with Mrs. Pendray, I knew her and her husband and observed her in her work in the legislature.

In recent years, of course, the distaff side has been better represented by such worthies as Mrs. Lipsky, Mrs. Doderer, Mrs. Lawrence, Senators Gentleman and Yenger and Representatives Brandt, Carl, Carpenter, Clark, Egenes, Hoffman, Lloyd-Jones, Lonergan, Mann, Mullens, Poffenberger, Trucano and a young lady

with whom I had a close association for a time, Nancy Shimanek, who served as my law clerk immediately out of law school and with whom I had a very pleasant relationship. Those I have missed are but a few of the fine men and women who have served in these chambers.

I suppose the honoring of the Pioneer Lawmakers here today is in keeping with the general trend of thought that all things old are entitled to a certain degree of reverence. I further suppose that my advanced age is one of the reasons John Mowry saw fit to invite me to appear here today.

Lines of a poem, the author's name having escaped me for the moment, occurred to me: "It is not growing like a tree in bulk, doth make man greater be, nor standing long an oak 300 year, to fall at last a log, dry, bald and sere. A lily of a day is fairer far in May."

The poem goes on for some stanzas, but the thought expressed in the foregoing lines is one I wish to touch on for a moment.

I do not think it credible to pay tribute to the people who have served in this legislature from many years past, only because their service was a long time ago. The honoring of these men and women today should be and is, in my judgment, on the basis of the fact that they serve in a capacity of representation of their constituents in an honorable and conscientious fashion. The mere fact that they served many years ago, insofar as many of them are concerned, only entitles them to congratulations on the basis of their virility and strength, and the fact that they have managed to survive this long.

I believe I notice a marked difference as I look around the Chamber here today and compare the age of the members of the House and Senate today with the average age of those who served, say, twenty-five or thirty-five or forty years, ago when I visited these halls as an observer. Truly, the emphasis is on youth, the problems which face a legislative body today can best be resolved by those with a youthful outlook and visions for the future, rather than reminiscences of the past.

A Chinese proverb, which I remember as an old copybook maxim, goes: "Your old men shall dream dreams, but your young men shall see visions." It is the fervent hope of every Iowan today that the members of the legislature entertain visions of hope for the future of this state, and we are content to let the dreaming of dreams be left to those who qualify for membership in the Pioneer Lawmakers Association.

I approached the discharge of my office here today, that is as Speaker at this Joint Session of the Legislature honoring Pioneer Lawmakers, with some trepidation. I know that many of the members of these bodies are gifted orators. The more I pondered over what I might say to you here today, the more apprehensive I became. I was getting, as my daughter used to say when she was a small child, "nervouser and nervouser." I kept having to reassure myself that someone has to do this, and it probably is my turn. This didn't serve to reassure me too much, and I was reminded of the story of the chap who was pushing a cart around the supermarket with his young child in it, and the kid was best described as a hellion. He was pulling the

merchandise off the shelves, tugging at the coattails of all the shoppers he met in the aisles, screaming and yelling and wanting everything he saw. His father kept saying, "Now, Roger, control yourself. Roger, behave. Roger, don't lose your temper. Roger, keep your cool. Roger, don't blow your stack." A lady shopper came up to him and said, "Sir, I have been observing the way you have been handling your little boy here, and I want to compliment you. You haven't struck him, you haven't shaken him up. All you have been doing is saying to him in a calm tone of voice, 'Roger, behave yourself. Roger, control yourself. Roger, don't lose your temper.' I want to congratulate you." He said, "Look lady, I'm Roger."

One of my first associations with John Mowry was in Philadelphia in 1948. John was attending the Republican National Convention seeking to advance the aspirations of one Thomas E. Dewey. You may recall that name. He was elected President of the United States that year, and if you don't believe it, I can show you a copy of the Chicago Tribune dated early November, 1948, with a large masthead evidencing the fact that he had defeated Harry Truman for President.

I was a delegate to that convention, and John and others invited some of the Iowa group to attend a little soiree in an apartment in Philadelphia for the purpose of regaling us with the sterling qualities of Mr. Dewey. The mercury was bouncing around the hundred mark someplace; and when we got to the place where the cocktail party was being held and started up in the elevator, the power failed. We were stuck in the elevator for a considerable period of time. I lost my enthusiasm for the entire convention process in that elevator, and I never attended a national convention since that one.

I have, of course, had many pleasant associations with John in the years since, and I want to thank you, John, for the invitation to appear here today. This is a very pleasant affair, and I am pleased to be the spokesman for the people of Iowa in paying tribute to the members of the legislature who have served this state so well in the past. Whether or not I performed this function within the reaches of your expectations, I will have to leave it up to you.

In any event, I am reminded of another tale about the chap who left the midwest and went to Manhattan to take up residence. He was working, I believe, for an advertising agency. After a few years, he became more of a New Yorker than the native New Yorkers were. He became very blase and sophisticated. A country cousin came to visit him from middle Iowa someplace, and the country cousin was all eyes and ears and was beholding the scenes and sights of Manhattan. One Sunday morning, the resident took his country cousin on a walking tour of mid-Manhattan. It happened the country cousin stammered. As they were walking along, the visitor kept saying, "B-b-b-boy, did you see th-th-that b-b-blond go by. Well, n-n-never mind, she's g-g-gone now." Then they went on for a little while, and he said, "B-b-boy, d-d-did you see th-th-that Cadillac go by? Well, n-n-never mind, it's g-g-gone now." Pretty soon, he said, "B-b-boy, did you see—" And the New Yorker, being pretty well fed up with what was going on, said, "Yes, I saw it." And the Country cousin said, "Well, if you s-s-saw it, why in the h-h-hell did you s-step on it."

John, I don't know whether or not I have performed this function to your satisfaction, but at least I hope I haven't stepped on it.

Thank you very much.

Representative Halvorson of Clayton moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber and resumed regular session, President Branstad presiding.

Senator Coleman took the chair at 2:20 p.m.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 4 absent and a quorum present.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order House File 756.

House File 756

On motion of Senator Doyle, House File 756, a bill for an act relating to nonresident exemptions from the state motor vehicle licensing requirements, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 756) the vote was:

Ayes, 38:

Anderson	Baugher	Bisenius	Brown
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Junkins	Kinley	Kudart	Lura

Miller, A.V.	Murray	Nystrom	Palmer
Ramsey	Readinger	Rush	Schwengels
Small	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 1:

Miller, C.P.

Absent or not voting, 11:

Briles	Carney	Drake	Gallagher
Hutchins	Jensen	Priebe	Rodgers
Slater	Taylor	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED (Deferred April 21, 1981)

Senate File 130

The Senate resumed consideration of Senate File 130, a bill for an act to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government, and House amendment S—3468, deferred on April 21, 1981.

Senator Gentleman withdrew amendment S—3530 filed by her on April 21, 1981, to House amendment S—3468.

Senator Miller of Des Moines moved that the Senate concur in House amendment S—3468.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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 by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 130) the vote was:

Ayes, 41:

Anderson	Baughner	Brown	Carr
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Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rush	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Bisenius	Briles	Carney	Drake
Gallagher	Hutchins	Rodgers	Slater
Yenger			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Steering Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate Joint Resolution 13.

Senate Joint Resolution 13

On motion of Senator Taylor, Senate Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the state of Iowa relating to the distribution of money subject to the support and maintenance of common schools, was taken up for consideration.

Senator Taylor moved that the resolution be read the last time, which motion prevailed by a voice vote, and the resolution was read the last time.

Senate Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 7, subdivision 2 entitled "School Funds and School Lands", of Article IX of the Constitution of the State of Iowa is repealed.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause it to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (S.J.R. 13) the vote was:

Yeas, 42:

Anderson	Baughner	Bisenius	Carr
Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 1:

Brown

Absent or not voting, 7:

Briles	Carney	Gallagher	Gentleman
Hutchins	Slater	Yenger	

The resolution having received a constitutional majority was declared to have been adopted and agreed to by the Senate and the title was agreed to.

BUSINESS PENDING

House File 413

The Senate resumed consideration of House File 413 and division S—3193B of the amendment by the committee on State Government, previously deferred.

Senator Vande Hoef offered amendment S—3251 filed by Senators Vande Hoef and Drake on March 25, 1981, to page 1 of the bill.

Senator Husak offered amendment S—3541 filed by him from the floor to amendment S—3251.

Senator Gallagher raised the point of order that House File 413 required a fiscal note.

The Chair ruled the point not well taken.

Senator Husak moved the adoption of amendment S—3541 to amendment S—3251.

A non record roll call was requested.

The ayes were 31, nays 12.

Amendment S—3541 was adopted.

Senator Vande Hoef moved the adoption of amendment S—3251 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3251 as amended, the Chair ruled division S—3193B to page 2 of the bill, previously deferred, and amendment S—3097 filed by Senator Husak on February 25, 1981, to page 2 of the bill, out of order.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 413) the vote was:

Ayes, 27:

Baughner	Bisenius	Coleman	Comito
Craft	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Murray	Nystrom	Ramsey
Readinger	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 18:

Anderson	Brown	Carr	Deluhery
Doyle	Gallagher	Husak	Junkins
Kinley	Lura	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Rush
Van Gilst	Wells		

Absent or not voting, 5:

Briles	Carney	Hutchins	Slater
Yenger			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF THE STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering calendar:

H.F. 472
 H.F. 467
 H.F. 743
 H.F. 726
 H.F. 823
 H.F. 825
 H.F. 154
 H.F. 779
 H.F. 559

CALVIN O. HULTMAN, Chairperson

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate File 109** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Steering Calendar)

House File 472

On motion of Senator Waldstein, House File 472, a bill for an act relating to the continuing education requirement of assessors and deputy assessors and to the selection of new assessors, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that action on **House File 472** be **deferred**.

BILL PLACED UNDER UNFINISHED BUSINESS

Senator Hultman asked and received unanimous consent that **House File 767** be removed from the Steering Calendar and placed on the calendar as **unfinished business**.

CONSIDERATION OF BILLS (Steering Calendar)

House File 467

On motion of Senator Lura, House File 467, a bill for an act relating to rules of the fire marshal, with report of committee recommending amendment and passage, was taken up for consideration.

President Branstad took the chair at 3:25 p.m.

Senator Lura offered amendment S—3519 filed by the committee on State Government on April 21, 1981, to page 1 of the bill.

Senator Carr called for a division of amendment S—3519: Page 1, lines 3 through 32, lines 38 through 50 and page 2, lines 1 and 2 as division S—3519A; page 1, lines 33 through 37 as division S—3519B.

Senator Lura moved the adoption of division S—3519A, which motion prevailed by a voice vote.

Senator Small asked and received unanimous consent that action on **House File 467** and division S—3519B be **deferred**.

House File 743

On motion of Senator Nystrom, House File 743, a bill for an act to amend the definitions contained in, and to revise the disclosure requirements, compliance procedures, and penalties prescribed by the campaign disclosure-income tax checkoff Act, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Nystrom offered amendment S—3520 filed by the committee on State Government on April 21, 1981, to page 6 of the bill, moved its adoption and requested a non record roll call.

A record roll call was requested.

On the question "Shall amendment S—3520 be adopted?" (H.F. 743) the vote was:

Ayes, 27:

Baugher	Bisenius	Comito	Doyle
Drake	Gallagher	Goodwin	Hester
Holden	Hulse	Hultman	Jensen
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Readinger
Rodgers	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Yenger	

Nays, 17:

Anderson	Brown	Carr	Craft
DeKoster	Deluhery	Dreeszen	Gentleman
Gratias	Junkins	Palmer	Priebe
Ramsey	Rush	Small	Van Gilst
Wells			

Absent or not voting, 6:

Briles	Carney	Coleman	Husak
Hutchins	Slater		

Amendment S—3520 was adopted.

Senator Nystrom moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 743) the vote was:

Ayes, 43:

Anderson	Baugher	Bisenius	Carr
Coleman	Comito	Craft	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Jensen	Junkins	Kinley	Kudart

Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, 3:

Brown	DeKoster	Ramsey
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Absent or not voting, 4:

Briles	Carney	Hutchins	Slater
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 13, a bill for an act relating to the maximum rate of interest on investments of public funds in banks.

Senate File 199, a bill for an act authorizing the appointment of legal counsel for county officers under certain circumstances.

Senate File 324, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty.

Senate File 479, a bill for an act relating to the state entomologist, including fees for certificates of inspection, and assessment of costs.

INTRODUCTION OF BILL

Senate File 551, by Committee on Ways and Means, a bill for an act relating to the sale of public revenue bonds and making it effective upon publication.

Read first time and placed on calendar.

APPENDIX**STUDY BILLS RECEIVED****S.S.B. 406 Ways and Means**

Providing for the imposition of penalties and interest for delinquent monthly withholding tax payment.

S.S.B. 407 Appropriations

Relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1981, and ending June 30, 1983.

COMMUNICATION

The following correspondence has been received:

TO: Secretary of the Iowa Senate, Chief Clerk of the Iowa House of Representatives, and members of the Iowa General Assembly

FROM: Serge H. Garrison, Director and Gary L. Kaufman, Legal Counsel, Iowa Legislative Service Bureau

DATE: April 22, 1981

"As required by House File 707, approved May, 1980 by the Sixty-eighth General Assembly, the accompanying bill embodying a plan of legislative and congressional districting is delivered. At the direction of the Temporary Redistricting Advisory Commission, maps illustrating the plan, a summary of the standards for redistricting as required by House File 707, and a statement of the population of each district included in the plan are also being submitted. The summary of the standards for redistricting are provided in this document. The plan submitted and prepared is in strict adherence to the requirements of law."

Copies of these referenced documents may be obtained from the Legislative Service Bureau.

BILL ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bill to committee:

S. C.R. 25 Rules and Administration

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 21, 1981, 4:10 p.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson (arrived 4:15 p.m.), Baugher, Bisenius, Carney, Deluhery (arrived 4:15 p.m.), Hultman (arrived 4:28 p.m.), Jensen, Junkins (arrived 4:15 p.m.), Ramsey, Rush, Schwengels, Slater (arrived 4:20 p.m.), Small, Van Gilst, Waldstein and Yenger.

Members Absent: None.

Other Committee Business: Approved SSB's 317, 382 and 403 as committee bills.

Adjourned: 5:40 p.m.

WAYS AND MEANS

Convened: April 22, 1981, 8:46 a.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Junkins, Lura, Palmer and Priebe.

Final Bill Action: Senate File 551, a bill for an act relating to the sale of public revenue bonds and making it effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Craft, Rodgers, Hester, Holden, Hultman, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 6: Readinger, Husak, Junkins, Lura, Palmer and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: House File 396, a bill for an act relating to an income tax checkoff for the state fish and game protection fund.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Craft, Rodgers, Hester, Hultman, Ramsey, Rush, Taylor and Van Gilst. Nays, 1: Holden. Absent or not voting, 6: Readinger, Husak, Junkins, Lura, Palmer and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned SSB 405 to subcommittee.

Adjourned: 9:00 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Eugene Hill, former member of the Senate from Jasper County, who was present in the Senate chamber.

Senator Deluhery presented Thomas P. McDonnell, Handicapped Iowan of the Year, who was present in the Senate chamber as his guest.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five students from Central Webster Community School District, Burnside, Iowa, accompanied by Jim Ainslie. Senator Coleman.

One hundred-eighty students from Winterset Middle School, Winterset, Iowa, accompanied by Gary Christensen, Bill Honnold and Shirley Roach. Senator Rodgers.

Forty-three students from Holy Trinity School, Des Moines, Iowa, accompanied by Mrs. Pavlik-Heger and Mrs. Huber. Senators Baugher and Readinger.

Sixty students from Dallas-Grimes Community School, Grimes, Iowa, accompanied by Bill Wineland. Senators Readinger and Rodgers.

Fifty-six students from Milford Elementary School, Milford, Iowa, accompanied by Eyleen Anderson and Judy Hagedorn. Senator Vande Hoef.

AMENDMENTS FILED

S—3531

H.F.

738

Norman J. Goodwin
Forrest V. Schwengels

S—3532	H.F.	472	Norman Rodgers Rolf V. Craft Jack W. Hester
S—3533	S. F.	521	Lucas J. DeKoster
S—3534	S. F.	199	House Amendment
S—3535	S. F.	13	House Amendment
S—3536	S. F.	479	House Amendment
S—3537	S. F.	324	House Amendment
S—3538	H.F.	386	Gary L. Baugher
S—3539	H.F.	767	Dick Ramsey
S—3540	H.F.	783	John N. Nystrom William D. Palmer
S—3541	H.F.	413	Emil J. Husak
S—3542	H.F.	467	Richard Comito

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 3:55 p.m., until 9:00 a.m., Thursday, April 23, 1981.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 23, 1981

The Senate met in regular session at 9:16 a.m., President Branstad presiding.

Prayer was offered by the Reverend Gary R. Annis, pastor of the First United Methodist Church, Woodbine, Iowa.

Following the prayer, the song "Now Thank We All Are God" was offered by the Celebration Quartet.

The Journal of Wednesday, April 22, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Merlin Broers, M.D., Schleswig, Iowa.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1981, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 355, a bill for an act requiring the Iowa housing finance authority to expend at least fifty percent of proceeds from bond sales for the construction of new housing.

Senate File 420, a bill for an act relating to the siting of hazardous waste treatment.

Senate File 517, a bill for an act relating to certain crimes including accessory after the fact which may result from the use of force.

ALSO: That the House has on April 21, 1981, passed the following bills in which the concurrence of the House was asked:

Senate File 507, a bill for an act permitting cities to issue and sell pledge orders to refund revenue bonds, pledge orders, and other obligations, and taking effect upon publication.

Senate File 520, a bill for an act to strike portions of the Code providing for reductions in state aid during a school year due to reductions in special education weighting factors.

CONSIDERATION OF BILLS (Steering Calendar)

House File 726

On motion of Senator Briles, House File 726, a bill for an act relating to nonconforming facilities under the state elevator code, with report of committee recommending passage, was taken up for consideration.

Senator Briles moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 726) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Priebe	Ramsey
Rodgers	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 5:

Craft	Gallagher	Palmer	Readerger
Rush			

Absent or not voting, 3:

Kinley	Nystrom	Slater
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 825

On motion of Senator Vande Hoef, House File 825, a bill for an act relating to the rights of residents of health care facilities and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 825) the vote was:

Ayes, 42:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Husak	Hutchins	Jensen	Kudart
Miller, A.V.	Miller, C.P.	Murray	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 2:

Craft	Lura
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Absent or not voting, 6:

Holden	Hultman	Junkins	Kinley
Nystrom	Slater		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 823

On motion of Senator Baugher, House File 823, a bill for an act relating to the requirements for giving a notice to cure in a consumer credit transaction, with report of committee recommending passage, was taken up for consideration.

Senator Rush offered amendment S—3546 filed by him from the floor to page 2 of the bill and called for a division of the amendment: lines 3 through 8 as division S—3546A; line 9 as division S—3546B.

Senator Rush moved the adoption of division S—3546A, which motion prevailed by a voice vote.

Senator Small asked and received unanimous consent that action on **House File 823** and division S—3546B be **deferred**.

HOUSE AMENDMENTS CONSIDERED

Senate File 199

Senator Brown called up for consideration Senate File 199, a bill for an act authorizing the appointment of legal counsel for county officers under certain circumstances, amended by the House, and moved that the Senate concur in House amendment S—3534 filed on April 22, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Brown moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 199) the vote was:

Ayes, 46:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Bisenius	Dreeszen	Slater	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 479

Senator Dreezen called up for consideration Senate File 479, a bill for an act relating to the state entomologist, including fees for certificates of inspection, and assessment of costs, amended by the House, and moved that the Senate concur in House amendment S—3536 filed on April 22, 1981.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

UNFINISHED BUSINESS
(Deferred April 22, 1981)**House File 467**

The Senate resumed consideration of House File 467, a bill for an act relating to rules of the fire marshal and division S—3519B of the amendment by the committee on State Government, deferred on April 22, 1981.

Senator Lura filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which division S—3519A to House File 467 was adopted by the Senate on April 22, 1981.

The motion prevailed by a voice vote and division S—3519A to pages 1 and 2 of the bill was taken up for reconsideration.

Senator Lura offered amendment S—3550 filed by him from the floor to division S—3519A.

Senator Comito asked unanimous consent that House File 467 be referred to the committee on Judiciary.

Objection was raised by Senator Lura.

Senator Lura moved the adoption of amendment S—3550 to division S—3519A.

A non record roll call was requested.

The ayes were 9, nays 37.

Amendment S—3550 lost.

Senator Lura asked unanimous consent that further action on House File 467 be deferred.

Objection was raised by Senator Comito.

Senator Comito withdrew his objection and **House File 467** and divisions S—3519A and S—3519B was **deferred**.

UNFINISHED BUSINESS (Deferred April 22, 1981)

House File 472

The Senate resumed consideration of House File 472, a bill for an act relating to the continuing education requirement of assessors and deputy assessors and to the selection of new assessors, deferred on April 22, 1981.

Senator Rodgers offered amendment S—3532 filed by Senators Rodgers, Craft & Hester on April 22, 1981, to pages 1 and 2 of the bill, moved its adoption and requested a non record roll call.

A record roll call was requested.

On the question "Shall amendment S—3532 be adopted?" (H.F. 472) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Baughner	Bisenius	Carney	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Gallagher	Gentleman
Hester	Holden	Kinley	Lura
Miller, A.V.	Murray	Palmer	Readinger
Rodgers	Rush	Small	Taylor
Van Gilst			

Nays, 24:

Anderson	Briles	Brown	Carr
Dreeszen	Goodwin	Gratias	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Miller, C.P.	Nystrom
Priebe	Ramsey	Schwengels	Tieden
Vande Hoef	Waldstein	Wells	Yenger

Absent or not voting, 1:

Slater

Amendment S—3532 was adopted.

With the adoption of amendment S—3532, the Chair ruled amendment S—3552 filed by Senators Hutchins and Waldstein from the floor to pages 1 and 2 of the bill, out of order.

Senator Waldstein moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 472) the vote was:

Ayes, 41:

Anderson	Bisenius	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Husak	Hutchins
Jensen	Junkins	Kinley	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Taylor
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 7:

Briles	Gratias	Hulse	Hultman
Kudart	Small	Tieden	

Absent or not voting, 2:

Baughner Slater

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Waldstein asked and received unanimous consent that **Senate File 459** be withdrawn from further consideration of the Senate.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:40 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:36 p.m., Senator Carney presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1981, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 87, a bill for an act providing for the designation of handicapped parking spaces and providing a penalty.

ALSO: That the House has on April 23, 1981, passed the following bill in which the concurrence of the House was asked:

Senate File 542, a bill for an act making a supplemental appropriation to the department of social services for the fiscal year ending June 30, 1981, for aid to dependent children program, field operations, and operation of the adult correctional institutions.

CONSIDERATION OF BILLS (Steering Calendar)

House File 154

On motion of Senator Kudart, House File 154, a bill for an act relating to the notice given before commencing an action for forcible entry or detention of real property and mobile homes and to judgments resulting therefrom, with report of committee

recommending amendment and passage, was taken up for consideration.

Senator Kudart offered amendment S—3438 filed by the committee on Judiciary on April 9, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3438 was adopted by a voice vote.

Senator Ramsey offered amendment S—3257 filed by him on March 26, 1981, to page 1 of the bill.

Senator Rush raised the point of order that amendment S—3257 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3257 in order.

Senator Ramsey moved the adoption of amendment S—3257 and requested a non record roll call.

The ayes were 29, nays 14.

Amendment S—3257 was adopted.

Senator Deluhery offered amendment S—3450 filed by him on April 9, 1981, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3450 be adopted?" (H.F. 154) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Anderson	Brown	Carr	Doyle
Gallagher	Gentleman	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Murray	Palmer
Priebe	Readinger	Rodgers	Small
Van Gilst	Wells	Yenger	

Nays, 22:

Briles	Carney	Craft	DeKoster
Deluhery	Drake	Dreeszen	Goodwin

Gratias	Hester	Holden	Hulse
Hultman	Jensen	Kudart	Lura
Nystrom	Ramsey	Rush	Schwengels
Taylor	Tieden		

Voting present, 3:

Baughher	Bisenius	Hutchins
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Absent or not voting, 6:

Coleman	Comito	Husak	Slater
Vande Hoef	Waldstein		

Amendment S—3450 lost.

Senator DeKoster offered amendment S—3555 filed by him from the floor to the title page of the bill and moved its adoption.

Amendment S—3555 was adopted by a voice vote.

Action on **House File 154** was deferred.

House File 779

On motion of Senator Rush, House File 779, a bill for an act relating to the rules of evidence, with report of committee recommending amendment and passage, was taken up for consideration.

President Branstad took the chair at 2:25 p.m.

Senator Rush offered amendment S—3512 filed by the committee on Judiciary on April 16, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3512 was adopted by a voice vote.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 779) the vote was:

Ayes, 46:

Anderson	Baughher	Bisenius	Briles
Brown	Carney	Carr	Comito
Craft	DeKoster	Deluhery	Doyle

Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Coleman	Holden	Slater	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 559

On motion of Senator DeKoster, House File 559, a bill for an act relating to offenses and penalties under the Iowa unauthorized insurers Act and the insurance trade practices Act, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—3548 filed by Senators Miller of Des Moines, et al., from the floor to page 1 of the bill.

Senator Miller of Des Moines offered amendment S—3549 filed by him from the floor to amendment S—3548 and moved its adoption.

Amendment S—3549 was adopted by a voice vote.

Senator Miller of Des Moines asked and received unanimous consent that action on **House File 559** and amendment S—3548, as amended, be **deferred**.

UNFINISHED BUSINESS (Deferred April 22, 1981)

House File 754

The Senate resumed consideration of House File 754, a bill for an act relating to motor vehicle reports and records, deferred April 22, 1981.

Senator Junkins asked and received unanimous consent that action on **House File 754** be deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

BUSINESS PENDING

House File 559

The Senate resumed consideration of House File 559 and amendment S—3548 as amended, by Senators Miller of Des Moines, et al., to page 1 of the bill, previously deferred.

Senator Anderson offered amendment S—3557 filed by him from the floor to amendment S—3548 as amended.

Senator Small raised the point of order that amendment S—3548 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3548 as amended out of order.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 559) the vote was:

Ayes, 48:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schweingels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Miller, C.P. Slater

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**CONSIDERATION OF BILLS
(Noncontroversial Calendar)**

Senator Hultman asked and received unanimous consent to take up out of order House File 304.

House File 304

On motion of Senator Kudart, House File 304, a bill for an act including energy conservation and solar access as objectives of city and county zoning regulations, with report of committee recommending passage, was taken up for consideration.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 304) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 2:

Holden Miller, C.P.

Absent or not voting, 3:

Coleman Jensen Slater

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order House File 739.

House File 739

On motion of Senator Kudart, House File 739, a bill for an act relating to the intestate succession rights of adopted persons, their natural parents, and adoptive parents, with report of committee recommending amendment and passage, was taken up for consideration.

Senator DeKoster offered amendment S—3439 filed by the committee on Judiciary on April 9, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3439 was adopted by a voice vote. •

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 739) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Coleman	Junkins	Slater	Small
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order House File 778.

House File 778

On motion of Senator Kudart, House File 778, a bill for an act relating to the disclaimer of succession to property and providing a January 1 effective date, with report of committee recommending passage, was taken up for consideration.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 778) the vote was:

Ayes, 46:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Bisenius	Junkins	Slater	Small
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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 Hultman asked and received unanimous consent to take up out of order House File 794.

House File 794

On motion of Senator Kudart, House File 794, a bill for an act relating to the Iowa Probate Code by increasing the amount that

may pass to a minor without the necessity of appointing a conservator; by defining sale of property in probate proceedings; by providing that certain hearings are not necessary if a certain type of notice is used; and by providing that if a claimant is represented by an attorney, the attorney of record for the claimant shall be notified of the disallowance of the claim, with report of committee recommending passage, was taken up for consideration.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 794) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Junkins	Slater	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 745

On motion of Senator Rush, House File 745, a bill for an act for the legalization of the proceedings of the board of supervisors of Jones county relating to the sale of certain real estate, with report of committee recommending passage, was taken up for consideration.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 745) the vote was:

Ayes, 45:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Ramsey	Readinger	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 3:

DeKoster	Hultman	Priebe
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Absent or not voting, 2:

Rodgers	Slater
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 787

On motion of Senator Doyle, House File 787, a bill for an act to legalize the sale of certain property in Sioux City, Woodbury County, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 787) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden

Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Ramsey	Readinger	Rush
Schwengels	Small	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 3:

Craft	Hultman	Priebe
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Absent or not voting, 3:

Rodgers	Slater	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 143

On motion of Senator DeKoster, House File 143, a bill for an act relating to the authority of school districts to levy a tax for public educational and recreational purposes, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins asked unanimous consent that action on House File 143 be deferred.

Objection was raised by Senator Husak.

Senator Hutchins withdrew his request.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 143) the vote was:

Ayes, 37:

Anderson	Briles	Brown	Carney
Coleman	Comito	Craft	DeKoster
Doyle	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Hultman	Husak
Hutchins	Jensen	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Small

Taylor	Vande Hoef	Waldstein	Wells
Yenger			

Nays, 11:

Baughner	Bisenius	Carr	Deluhery
Drake	Gallagher	Holden	Hulse
Junkins	Tieden	Van Gilst	

Absent or not voting, 2:

Rodgers	Slater
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Husak asked and received unanimous consent that **Senate File 169** be withdrawn from further consideration of the Senate.

Senator Yenger asked and received unanimous consent that **Senate File 249** be withdrawn from further consideration of the Senate.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION 29

By: Trucano, Smalley, Conlon, Carpenter, Crawford, Running, Arnould, Kirkenlager, Krewson, Renaud, Jochum, Rapp, Chiodo, Woods, Hansen of O'Brien, Harbor, Byerly, Cochran, Pope, Schroeder, Halvorson of Webster, Miller, Crabb, Hummel, Connors, Shimanek, Pelton, Mullins, Clark of Cerro Gordo, Lloyd-Jones, Branstad, DeGroot, Menke, Davitt, Welsh, Anderson of Jasper, Hanson of Delaware, Mann, Diemer, Swearingen, Horn, Poncy, Poffenberger, Clark of Lee, Egenes, Schneklath, Tofte, Holt, Hoffmann, Petrick, Oxley, Johnson of Howard, Daggett, Van Maanen, Doderer, Clements and Cusack.

- 1 *Whereas*, the valorous service of Vietnam veterans has
- 2 never been properly recognized or commemorated; and
- 3 *Whereas*, the conflict in Vietnam claimed more than

4 fifty-five thousand American lives and left three hundred
5 thousand Americans wounded, one hundred fifty thousand
6 Americans permanently disabled and up to two hundred
7 eighty thousand Americans suffering from intermittent
8 aftereffects; and
9 *Whereas*, four hundred eighty thousand Vietnam veterans
10 between the ages of twenty-five and thirty-nine are
11 currently unemployed; *Now Therefore*,
12 *Be It Resolved by the House of Representatives, The*
13 *Senate Concurring*, That the Governor is requested to
14 designate April 26, 1981, as a "Day of Recognition
15 for Veterans of the Vietnam Era", and to call upon the
16 people of Iowa to observe the day with appropriate programs,
17 ceremonies and activities.

Read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 552, by Committee on Appropriations, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Read first time and **placed on Appropriations calendar.**

Senate File 553, by Committee on Appropriations, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibility relate to agricultural affairs, economic development, and energy and natural resources management.

Read first time and **placed on Appropriations calendar.**

Senate File 554, by Committee on Appropriations, a bill for an act reducing appropriated funds by four point six percent.

Read first time and **placed on Appropriations calendar.**

Senate File 555, by Committee on Ways and Means, a bill for an act relating to the inheritance tax by reducing the time period for filing and paying the tax, by increasing the individual exemptions allowed for a surviving spouse, son, daughter, father, mother, and other lineal descendants, by increasing the size of the estate under

which no tax is owed, providing for payment by the transfer of property and providing a January 1 effective date for some provisions.

Read first time and **placed on calendar.**

INTRODUCTION OF RESOLUTION

SENATE RESOLUTION 15

By: Jensen, Hulse, Miller of Des Moines and Gratias

1 *Whereas*, allegations were made that inefficiencies
2 and irregularities are existent in the Iowa beer and
3 liquor control department; and
4 *Whereas*, it has been decided that at present the
5 evidence does not warrant any investigation into the
6 allegations; *Now Therefore*,
7 *Be It Resolved by the Senate*, That the public be
8 invited to submit to the Appropriations Joint Sub-
9 committee on Regulatory and Finance written complaints
10 concerning their dealings with the Iowa beer and
11 liquor control department or any of its stores.

Read first time and **passed on file.**

APPENDIX**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 enrolled, signed, by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 23rd day of April, 1981.

Senate Files 284 and 320.

LINDA HOWARTH MACKAY
Secretary of the Senate

COMMUNICATION FROM THE SECRETARY OF STATE

April 21, 1981

Ms. Linda Mackay
Secretary of the Senate
State Capitol Building
LOCAL

I hereby certify that Senate File 262 was published in The Fairfield Ledger, Inc., Fairfield, Iowa, on April 10, 1981, and in the Oskaloosa Daily Herald, Oskaloosa, Iowa, on April 10, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate on Wednesday afternoon, April 22, 1981.

Had I been present, I would have voted "aye" on the following bills: Senate Joint Resolution 13, Senate File 130 and House Files 413, 743 and 756.

CLARENCE S. CARNEY

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 22, 1981.

Had I been present, I would have voted "aye" on Senate Joint Resolution 13, Senate File 130 and House Files 743 and 756. I would have voted "nay" on House File 413.

C. W. BILL HUTCHINS

STUDY BILLS RECEIVED

S.S.B. 408 Appropriations

Relating to district court officers, employees, and filing fees, and making an appropriation.

S.S.B. 409 Ways and Means

Providing for the valuation of forest and fruit-tree reservations at \$15.00 per acre effective January 1 following enactment.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 13 passed the Senate on April 22, 1981.

TED ANDERSON

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3450 to House File 154 failed to be adopted by the Senate on April 23, 1981.

PATRICK J. DELUHERY

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

S. F.	550	Commerce
H.C.R.	31	Transportation

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 23, 1981, 11:40 a.m.

Members Present: Murray, Chairperson; Tieden, Vice Chairperson; Palmer, Ranking Member; Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush (arrived 11:50 a.m.), Schwengels, Small (arrived 11:55 a.m.), Van Gilst, Waldstein and Yenger.

Members Absent: Slater.

Final Bill Action: Senate File 552, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush, Schwengels, Small, Van Gilst, Waldstein and Yenger. Nays, none. Absent or not voting, 1: Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 553, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibility relate to agricultural affairs, economic development, and energy and natural resources management.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush, Schwengels, Small, Van Gilst, Waldstein and Yenger. Nays, none. Absent or not voting, 1: Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 554, a bill for an act reducing appropriated funds by four point six percent.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Murray, Tieden, Palmer, Anderson, Baugher, Bisenius, Carney, Deluhery, Hultman, Jensen, Junkins, Ramsey, Rush, Schwengels, Small, Van Gilst, Waldstein and Yenger. Nays, none. Absent or not voting, 1: Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Business: SSB 308 failed recommendation for passage.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON CLAIMS

Convened: April 22, 1981, 12:20 p.m.

Members Present: Murray, Chairperson.

Members Absent: Small, Ranking Member; Briles and Comito.

Other Committee Business: Considered payment of claims previously denied by State Appeals Board.

Adjourned: 1:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: April 22, 1981, 12:04 p.m.

Members Present: Waldstein, Chairperson; Brown and Vande Hoef.

Members Absent: Craft and Slater, Ranking Member.

Other Committee Business: Approved and submitted SSB 407 to the full Appropriations committee.

Adjourned: 12:20 p.m.

WAYS AND MEANS

Convened: April 23, 1981, 8:10 a.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: Husak, Junkins, Lura and Palmer.

Final Bill Action: Senate File 555, a bill for an act relating to the inheritance tax by reducing the time period for filing and paying the tax, by increasing the individual exemptions allowed for a surviving spouse, son, daughter, father, mother, and other lineal descendants, by increasing the size of the estate under which no tax is owed, providing for payment by the transfer of property and providing a January 1 effective date for some provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Craft, Readinger, Rodgers, Hester, Holden, Priebe, Ramsey, Rush, Taylor and Van Gilst. Nays, none. Absent or not voting, 4: Husak, Junkins, Lura and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Assigned SSB 406 to subcommittee.

Adjourned: 8:35 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-five students from Garner-Hayfield Junior High School, Garner, Iowa, accompanied by Mrs. Stille, Mrs. Miller and Mr. Nielsen. Senator Taylor.

Forty-five students from West Harrison, Modale and Pisgah Junior High Schools, Modale and Pisgah, Iowa, accompanied by Ron Villerich, Larry White, LeRoy Clark and Darlene Hime. Senator Hester.

Twenty students from Thompson High School, Thompson, Iowa, accompanied by Mike Hall. Senator Priebe.

Forty-one students from St. Mary School, Humboldt, Iowa. Senator Coleman.

AMENDMENTS FILED

S—3543	S. F.	355	House Amendment
S—3544	S. F.	420	House Amendment
S—3545	S. F.	517	House Amendment
S—3546	H.F.	823	Bob Rush
S—3547	S. F.	87	House Amendment
S—3548	H.F.	559	Charles P. Miller Ray Taylor Elvie L. Dreeszen John W. Jensen Dale L. Tieden Richard Vande Hoef David M. Readinger Joe Brown Alvin V. Miller Stephen W. Bisenius C.W. Bill Hutchins Gary L. Baugher James V. Gallagher Donald V. Doyle James D. Wells Ted Anderson Bass Van Gilst Emil J. Husak Norman Rodgers Jack W. Hester Berl E. Priebe
S—3549	H.F.	559	Charles P. Miller
S—3550	H.F.	467	Mick Lura
S—3551	H.F.	836	James D. Wells

S—3552	H.F.	472	C.W. Bill Hutchins Arne Waldstein
S—3553	H.F.	503	Arthur A. Small, Jr. Lucas J. DeKoster
S—3554	H.F.	788	Julia Gentleman
S—3555	H.F.	154	Lucas J. DeKoster
S—3556	S. F.	547	Berl E. Priebe John W. Jensen
S—3557	H.F.	559	Ted Anderson
S—3558	H.F.	467	Arthur A. Small, Jr. Mick Lura Lucas J. DeKoster
S—3559	H.F.	754	Berl E. Priebe Alvin V. Miller James V. Gallagher

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:00 p.m., until 9:00 a.m., Friday, April 24, 1981.

JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 24, 1981

The Senate met in regular session at 9:08 a.m., President Branstad presiding.

Prayer was offered by Doctor John B. Holcombe, pastor of the Altoona Christian Church, Altoona, Iowa.

The Journal of Thursday, April 23, 1981, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kinley for the day on request of Senator Hutchins; Senators Jensen and Kudart for the day on request of Senator Hultman.

MOTIONS TO RECONSIDER WITHDRAWN

Senate Joint Resolution 13

Senator Anderson withdrew the motion to reconsider Senate Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the state of Iowa relating to the distribution of money subject to the support and maintenance of common schools, filed by him on April 23, 1981, and found on page 1405 of the Senate Journal.

House File 186

Senator Taylor withdrew the motion to reconsider House File 186, a bill for an act relating to the permissible use of proceeds of property sold by a county board of hospital trustees, filed by him on April 21, 1981, and found on page 1328 of the Senate Journal.

BILL PLACED UNDER UNFINISHED BUSINESS

Senator Hultman asked and received unanimous consent that **House File 826** be removed from the Regular Calendar and placed on the calendar as **unfinished business**.

**CONSIDERATION OF BILLS
(Noncontroversial Calendar)**

House File 643

On motion of Senator Craft, House File 643, a bill for an act relating to strategy discussions by a governmental body in negotiating with employees of the governmental body who are not under a collective bargaining agreement, with report of committee recommending passage, was taken up for consideration.

Senator Craft moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 643) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Husak	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Rodgers	Rush	Schwengels	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Holden	Jensen	Kinley	Kudart
Lura	Readinger	Slater	Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 795

On motion of Senator Vande Hoef, House File 795, a bill for an act relating to nonprofit marketing associations regulated under chapter 500, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 795) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Junkins	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Rodgers	Rush	Schwengels	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Hutchins	Jensen	Kinley	Kudart
Lura	Readinger	Slater	Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 386

On motion of Senator Baughner, House File 386, a bill for an act to provide for the implementation of agreements to arbitrate disputes, to provide minimum standards for arbitration procedures and rules for review of arbitration awards, and to subject violators to penalties, with report of committee recommending passage, was taken up for consideration.

Senator Baughner offered amendment S—3538 filed by him on April 22, 1981, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3538 was adopted by a voice vote.

Senator Baughner moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 386) the vote was:

Ayes, 40:

Anderson	Baugher	Bisenius	Brown
Carney	Carr	Coleman	Comito
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Junkins	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Rodgers	Rush
Schwengels	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 10:

Briles	Craft	Hutchins	Jensen
Kinley	Kudart	Lura	Readinger
Slater	Small		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 462

On motion of Senator Hester, House File 462, a bill for an act relating to the withdrawal of land from a benefited fire district, with report of committee recommending passage, was taken up for consideration.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 462) the vote was:

Ayes, 42:

Baugher	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Murray

Nystrom	Palmer	Priebe	Ramsey
Rodgers	Rush	Schwengels	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Anderson	Jensen	Kinley	Kudart
Lura	Readinger	Slater	Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 632

On motion of Senator Schwengels, House File 632, a bill for an act to require a permit for drilling operations for metallic minerals exploration, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Schwengels offered amendment S—3481 filed by the committee on Natural Resources on April 13, 1981, to page 2 of the bill and moved its adoption.

Amendment S—3481 was adopted by a voice vote.

Senator Schwengels moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 632) the vote was:

Ayes, 42:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Rodgers	Rush	Schwengels	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Baughner	Jensen	Kinley	Kudart
Lura	Readinger	Slater	Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 641

On motion of Senator Hulse, House File 641, a bill for an act providing for the establishment and operation of forestry nurseries by the director of adult corrections on state owned land under the control of the department of social services, with report of committee recommending passage, was taken up for consideration.

Senator Hulse moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 641) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Brown	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Hutchins	Junkins
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Carney	Husak	Jensen	Kinley
Kudart	Lura	Slater	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 751

On motion of Senator Doyle, House File 751, a bill for an act to provide for special arson inspection warrants for the inspection of property destroyed by fire for the purpose of determining the cause, origin and circumstances of the fire, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—3501 filed by the committee on Judiciary on April 15, 1981, to pages 1 through 3 and the title page of the bill and moved its adoption.

Amendment S—3501 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 751) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 6:

Gallagher	Jensen	Kinley	Kudart
Lura	Slater		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 762

On motion of Senator Carr, House File 762, a bill for an act

relating to inspections of state and local correctional facilities and the state juvenile facilities, with report of committee recommending passage, was taken up for consideration.

Senator Palmer asked and received unanimous consent that action on **House File 762** be deferred.

House File 773

On motion of Senator Drake, House File 773, a bill for an act relating to the penalty to be imposed on licensees who tender the department of beer and liquor control three or more insufficient funds checks within a twelve-month period for the purchase of alcoholic beverages, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 773) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Carney
Carr	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Junkins	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, 3:

Brown	Coleman	Gallagher
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Absent or not voting, 5:

Briles	Jensen	Kinley	Kudart
Slater			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 782

On motion of Senator Drake, House File 782, a bill for an act relating to the powers and duties of the governor during a disaster emergency, to be effective upon publication, with report of committee recommending passage, was taken up for consideration.

Senator Drake asked and received unanimous consent that action on **House File 782** be deferred.

House File 503

On motion of Senator Small, House File 503, a bill for an act to provide that parties to a judicial review of an administrative agency action may be provided copies of the petition for judicial review by personal service instead of mailing, with report of committee recommending passage, was taken up for consideration.

Senator Small offered amendment S—3553 filed by Senators Small and DeKoster on April 23, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3553 was adopted by a voice vote.

Senator Small moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 503) the vote was:

Ayes, 45:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 5:

Anderson	Jensen	Kinley	Kudart
Slater			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Anderson for the remainder of the day on request of Senator Junkins.

CONSIDERATION OF BILLS (Noncontroversial Calendar)

House File 786

On motion of Senator Hester, House File 786, a bill for an act permitting the county board of supervisors to classify secondary roads on the area service system to provide for a reduced level of maintenance on some of these roads, with report of committee recommending passage, was taken up for consideration.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 786) the vote was:

Ayes, 41:

Baughner	Briles	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Husak	Hutchins	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Yenger			

Nays, none.

Absent or not voting, 9:

Anderson	Bisenius	Hultman	Jensen
Junkins	Kinley	Kudart	Slater
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 788

On motion of Senator Gentleman, House File 788, a bill for an act excluding child day care providers and babysitters from the child foster care licensing requirements, requiring family and group day care providers who are foster care licensees to register under chapter 237A, and providing that foster children are considered children of the family or group day care provider, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman offered amendment S—3554 filed by her on April 23, 1981, to page 1 of the bill.

Senator Hutchins raised the point of order that amendment S—3554 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3554 in order.

Senator Hutchins asked and received unanimous consent that action on **House File 788** and amendment S—3554 be **deferred**.

House File 802

On motion of Senator Murray, House File 802, a bill for an act relating to gifts allowed under the uniform gifts to minors Act, with report of committee recommending passage, was taken up for consideration.

Senator Murray moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 802) the vote was:

Ayes, 43:

Baughner	Bisenius	Briles	Brown
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Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Hulse	Hultman
Husak	Hutchins	Junkins	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 7:

Anderson	Comito	Holden	Jensen
Kinley	Kudart	Slater	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 822

On motion of Senator Doyle, House File 822, a bill for an act relating to the administration of small estates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—3513 filed by the committee on Judiciary on April 16, 1981, to pages 2 and 4 of the bill and moved its adoption.

Amendment S—3513 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 822) the vote was:

Ayes, 42:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Husak	Hutchins	Lura	Miller, A.V.

Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 8:

Anderson	Comito	Hultman	Jensen
Junkins	Kinley	Kudart	Slater

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 822 passed the Senate on April 24, 1981.

DICK RAMSEY

CONSIDERATION OF BILLS (Noncontroversial Calendar)

House File 769

On motion of Senator Miller of Des Moines, House File 769, a bill for an act relating to meetings and payment for service on county commissions of veteran affairs, changing certain benefits provided by the county commissions, and clarifying and correcting certain references, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 769) the vote was:

Ayes, 39:

Briles	Brown	Carney	Carr
Coleman	Craft	DeKoster	Deluhery
Doyle	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse

Hultman	Husak	Hutchins	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 11:

Anderson	Baughner	Bisenius	Comito
Drake	Holden	Jensen	Junkins
Kinley	Kudart	Slater	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 790

On motion of Senator Rush, House File 790, a bill for an act relating to the time the lien for rates or charges for utility services attaches, with report of committee recommending passage, was taken up for consideration.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 790) the vote was:

Ayes, 40:

Baughner	Briles	Brown	Carney
Carr	Coleman	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Hulse	Hultman	Husak
Hutchins	Junkins	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 10:

Anderson	Bisenius	Comito	Holden
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Jensen
Slater

Kinley
Yenger

Kudart

Rodgers

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 836

On motion of Senator Wells, House File 836, a bill for an act relating to honoring county warrants, with report of committee recommending passage, was taken up for consideration.

Senator Wells offered amendment S—3551 filed by him on April 23, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3551 was adopted by a voice vote.

Senator Wells moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 836) the vote was:

Ayes, 40:

Baughner	Briles	Brown	Carr
Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 10:

Anderson	Bisenius	Carney	Drake
Gallagher	Jensen	Kinley	Kudart
Rodgers	Slater		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 837

On motion of Senator Goodwin, House File 837, a bill for an act to repeal the requirement that a county recorder retain a copy of a declaration of value for public inspection, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 837) the vote was:

Ayes, 41:

Baugher	Bisenius	Briles	Brown
Carr	Coleman	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Junkins	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, none.

Absent or not voting, 9:

Anderson	Carney	Comito	Gallagher
Jensen	Kinley	Kudart	Rodgers
Slater			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 757

On motion of Senator Readinger, House File 757, a bill for an act relating to easements for certain sewer, water, or gas or power lines within a city, with report of committee recommending passage, was taken up for consideration.

Senator Readinger moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 757) the vote was:

Ayes, 40:

Baughner	Bisenius	Briles	Brown
Carr	Coleman	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Junkins	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 10:

Anderson	Carney	Comito	Craft
Gallagher	Jensen	Kinley	Kudart
Rodgers	Slater		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 784

On motion of Senator Gratias, House File 784, a bill for an act relating to reports of reportable disease, with report of committee recommending passage, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 784) the vote was:

Ayes, 39:

Bisenius	Briles	Brown	Carr
Coleman	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Small

Taylor
Waldstein

Tieden
Wells

Vande Hoef
Yenger

Van Gilst

Nays, none.

Absent or not voting, 11:

Anderson
Gallagher
Kudart

Baughner
Jensen
Rodgers

Carney
Junkins
Slater

Comito
Kinley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator DeKoster asked and received unanimous consent that **Senate File 432** be withdrawn from further consideration of the Senate.

Senator Hutchins asked and received unanimous consent that **Senate File 326** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order House File 766.

House File 766

On motion of Senator Ramsey, House File 766, a bill for an act relating to access to and use of solar energy, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ramsey asked and received unanimous consent that action on **House File 766** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senator Hultman asked and received unanimous consent to take up out of order House File 816.

House File 816

On motion of Senator Ramsey, House File 816, a bill for an act regulating the offer and sale of business opportunities and providing penalties for violations, with report of committee recommending passage, was taken up for consideration.

Senator Ramsey asked and received unanimous consent that action on **House File 816** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE CONCURRENT RESOLUTION 20

Rules and Administration
Hultman, Chairperson
Junkins
Holden

SENATE CONCURRENT RESOLUTION 22

Rules and Administration
Hultman, Chairperson
Junkins
Holden

SENATE CONCURRENT RESOLUTION 24

Rules and Administration
Hultman, Chairperson
Junkins
Holden

HOUSE FILE 786

County Government
Hester, Chairperson
C. Miller
Briles

HOUSE FILE 836

County Government
Wells, Chairperson
Vande Hoef
Hester

SSB 405

Ways and Means
Craft, Chairperson
Rush
Hultman

SSB 409

Ways and Means
Taylor, Chairperson
Lura

SENATE CONCURRENT RESOLUTION 21

Rules and Administration
Hultman, Chairperson
Junkins
Holden

SENATE CONCURRENT RESOLUTION 23

Rules and Administration
Hultman, Chairperson
Junkins
Holden

SENATE CONCURRENT RESOLUTION 25

Rules and Administration
Hultman, Chairperson
Junkins
Holden

HOUSE FILE 831

Appropriations
Yenger, Chairperson
Husak
Kudart
Readinger
A. Miller

HOUSE FILE 837

County Government
Goodwin, Chairperson
Wells
Waldstein

SSB 406

Ways and Means
Rodgers, Chairperson
Ramsey
Craft

SSB 410

Ways and Means
Craft, Chairperson
Hultman

Van Gilst

Holden
Van Gilst
Husak

SSB 411

Ways and Means
Priebe, Chairperson
Readinger
Taylor

SSB 412

Ways and Means
Craft, Chairperson
Palmer
Readinger

COMMUNICATION

The following communication was filed with the Secretary of the Senate on April 16, 1981:

April 16, 1981

Ms. Linda Howarth Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 10 claims of a general nature. This supplements our filing of December 22, 1980.

Index is attached showing number of claim, name and address of claimant, amount of claim and action taken.

Very truly yours,
MAURICE E. BARINGER
Chairman
State Appeal Board

Receipt of the above is hereby acknowledged.

LINDA HOWARTH MACKAY
Secretary of the Senate

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
6813-69-25	Planned Parenthood of Sioux City Sioux City Outdated Invoice	\$ 265.00	Disapproved

9714-69-25	Swaney Equipment Company Ft. Dodge Prorate Refund	1,467.89	Disapproved
9730-69-25	Vernell Warren West Des Moines Back Wages	141.60	Disapproved
9871-69-25	Spies Farm Lands Graettinger Regulatory Fee Refund	10.00	Disapproved
9894-69-25	Family Medical Center Oskaloosa Outdated XIX claim	60.00	Disapproved
9905-69-25	Decorah Medical Association, P.C. Decorah Outdated Title XIX	152.00	Disapproved
9910-69-25	Gaylan Lee Bell Diagonal Prorate Refund	1,300.00	Disapproved
9926-69-25	Bradley J. & Wendy K. Peterson Bettendorf License Refund	51.00	Disapproved
9954-69-25	Derald G. & Ruth E. Bargmann Bancroft, Nebraska Regulatory Fee Refund	20.00	Disapproved
6225-69-25	Baker Mechanical, Inc. Des Moines Services Rendered to the State	7,563.70	Partially Disapproved

COMMUNICATION FROM THE SECRETARY OF STATE

April 23, 1981

Ms. Linda Howarth Mackay
Secretary of the Senate
State Capitol Building
LOCAL

I hereby certify that the foregoing Act, Senate File 305 was published in The Red Oak Express, Red Oak, Iowa, on April 20, 1981, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, on March 30, 1981.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily out of the Senate chamber when the vote was taken on House File 795 on April 24, 1981.

Had I been present, I would have "aye" on the above.

C. W. BILL HUTCHINS

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 1981.

Had I been present, I would have voted "aye" on House Files 386, 462 and 795.

DAVID M. READINGER

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 1981.

Had I been present, I would have voted "aye" on House File 786.

ARNE WALDSTEIN

STUDY BILLS RECEIVED

S.S.B. 410 Ways and Means

Relating to highway funding by increasing the excise tax on motor fuel, special fuel, and gasohol, exempting contract carriers transporting public and nonpublic school pupils from the fuel tax, specifying road construction emphasis on rehabilitating and reconstructing existing roads, streets, and bridges, and making an appropriation from the road use tax fund for a study of the state department of transportation.

S.S.B. 411 Ways and Means

To authorize county treasurer to round to the nearest whole dollar the property tax bill for each property taxpayer.

S.S.B. 412 Ways and Means

Deleting the population requirement for counties to levy a tax for the operation, maintenance, and management of a health center.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-nine students from St. Patricks School, Cedar Falls, Iowa, accompanied by Julie Rokes and David Wieland. Senator Ted Anderson.

Eighty students from St. Edwards School, Waterloo, Iowa, accompanied by Mr. Sullivan, Miss McCann and Miss Olson. Senators Comito, Anderson and Gallagher.

Nine students from Jefferson Junior High School, Dubuque, Iowa, accompanied by Barb Besch and Kathy Maury. Senator Carr.

Forty students from Orient Elementary School, Orient, Iowa, accompanied by Randy Platt. Senators Ramsey and Rodgers.

Forty students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Mr. Steve Peik and Mr. Bruce Willemsen. Senator Craft.

Seventy-five students from Garner-Hayfield Community School, Garner, Iowa, accompanied by Andy Ollenburg. Senator Taylor.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 24, 1981, 11:30 a.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Hester, Holden, Hultman, Husak, Palmer, Priebe, Rush, Taylor and Van Gilst.

Members Absent: Rodgers, Ranking Member; Junkins, Ramsey and Lura.

Other Committee Business: Assigned SSBs to subcommittees.

Adjourned: 11:35 a.m.

AMENDMENTS FILED

S—3560	H.F.	788	C.W. Bill Hutchins
S—3561	H.F.	788	James E. Briles
S—3562	H.F.	782	Bob Rush

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 11:30 a.m., until 10:00 a.m., Monday, April 27, 1981.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 27, 1981

The Senate met in regular session at 10:10 a.m., President Branstad presiding.

Prayer was offered by Rabbi Marshall Berg, pastor of the Beth El Jacob Synagogue, Des Moines, Iowa.

The Journal of Friday, April 24, 1981, was approved.

SPECIAL PRESENTATION

President Branstad read a statement from Governor Robert D. Ray commemorating the victims of the World War II Holocaust and in accordance with Congressional mandate and Presidential order, declared the week of April 26 through May 2, 1981, as the Days of Remembrance of the Victims of the Holocaust.

Senator Gentleman appeared in the well of the Senate and presented Mr. Art Davis from Des Moines, a member of the United States Holocaust Memorial Council, with an enrolled copy of Senate Resolution 13, duly adopted by the Iowa Senate, commemorating the victims of the Holocaust.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rodgers for the morning session and Senator Kinley for April 27, 28 and 29 on request of Senator Junkins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 1981, adopted the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 10, a joint resolution proposing a compact between the states of Iowa, Kansas, Missouri and Nebraska regarding the Missouri River.

ALSO: That the House has on April 23, 1981, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 225, a bill for an act relating to retainage withheld from payment to contractors under contracts for public improvements.

Senate File 409, a bill for an act relating to the qualifications of the superintendent of a state mental health institute.

Senate File 480, a bill for an act relating to properties that are exempt from judicial process.

Senate File 485, a bill for an act relating to hazardous waste management, including new prohibited acts and providing penalties for violations.

Senate File 528, a bill for an act concerning certain criminal procedures relating to notice of seized property and deferred sentences.

HOUSE AMENDMENT CONSIDERED

Senate File 355

Senator Holden called up for consideration Senate File 355, a bill for an act requiring the Iowa housing finance authority to expend at least fifty percent of proceeds from bond sales for the construction of new housing, amended by the House, and moved that the Senate concur in House amendment S—3543 filed April 23, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Holden moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 355) the vote was:

Ayes, 42:

Anderson

Baughner

Briles

Brown

Carney	Carr	Coleman	Comito
Craft	DeKoster	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, none.

Absent or not voting, 8:

Bisenius	Deluhery	Hutchins	Kinley
Rodgers	Slater	Van Gilst	Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the morning session on request of Senator Junkins.

HOUSE AMENDMENTS CONSIDERED

Senate File 420

Senator Ramsey called up for consideration Senate File 420, a bill for an act relating to the siting of hazardous waste treatment, storage and disposal facilities, providing penalties and imposing a surcharge on the fee for land burial of hazardous waste, amended by the House, and moved that the Senate concur in House amendment S—3544 filed April 23, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Ramsey moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 420) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 1:

Craft

Absent or not voting, 6:

Hutchins	Kinley	Rodgers	Slater
Van Gilst	Yenger		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 87

Senator Comito called up for consideration Senate File 87, a bill for an act providing for the designation of handicapped parking spaces and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—3547 filed on April 23, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Comito moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 87) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Anderson	Baughner	Bisenius	Briles
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Brown	Carr	Coleman	Comito
Craft	Deluhery	Doyle	Drake
Gallagher	Gentleman	Goodwin	Husak
Jensen	Junkins	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Readinger
Rush	Schwengels	Small	Taylor
Wells			

Nays, 14:

Carney	Dreeszen	Gratias	Hester
Holden	Hulse	Hultman	Kudart
Lura	Miller, A.V.	Ramsey	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 7:

DeKoster	Hutchins	Kinley	Rodgers
Slater	Van Gilst	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 546

On motion of Senator Waldstein, Senate File 546, a bill for an act relating to the sale by the department of social services of the Peck day care center in Newton, Iowa and the Sanford day care center in Sioux City, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 546) the vote was:

Ayes, 42:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Jensen	Junkins

Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, 1:

Craft

Absent or not voting, 7:

DeKoster	Hutchins	Kinley	Rodgers
Slater	Van Gilst	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Carr called up the motion to reconsider House File 804 filed by him on April 21, 1981, found on page 1340 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 804) the vote was:

Ayes, 40:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Jensen	Junkins
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Small
Taylor	Vande Hoef	Waldstein	Wells

Nays, 1:

Tieden

Absent or not voting, 9:

Comito	Drake	Hutchins	Kinley
Kudart	Rodgers	Slater	Van Gilst
Yenger			

The motion prevailed.

Senator Carr moved to reconsider the vote by which House File 804 went to its last reading, which motion prevailed by a voice vote.

House File 804

On motion of Senator Carr, House File 804, a bill for an act correcting erroneous, inconsistent, and obsolete provisions of the Code, including penalty provisions, was taken up for reconsideration.

Senator Carr offered amendment S—3570 filed by him from the floor to page 20 of the bill and moved its adoption.

Amendment S—3570 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 804) the vote was:

Ayes, 43:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rush	Schwengels	Small	Taylor
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Hutchins	Kinley	Rodgers	Slater
Tieden	Van Gilst	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 23, 1981)

House File 467

The Senate resumed consideration of House File 467, a bill for an act relating to rules of the fire marshal, and divisions S—3519A and S—3519B by the committee on State Government, deferred April 23, 1981.

Senator Small offered amendment S—3558 filed by Senators Small, Lura and DeKoster on April 23, 1981, to division S—3519A.

Senator Comito raised the point of order that amendment S—3558 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3558 in order.

Senator Small moved the adoption of amendment S—3558 to division S—3519A, which motion prevailed by a voice vote.

Senator Lura moved the adoption of division S—3519A as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3558, the Chair ruled division S—3519B and amendment S—3542 filed by Senator Comito on April 22, 1981, to division S—3519B, out of order.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 467) the vote was:

Ayes, 38:

Anderson	Baughner	Briles	Brown
Carney	Carr	Coleman	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Jensen	Junkins	Kudart
Miller, A.V.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, 4:

Comito	Gratias	Lura	Miller, C.P.
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Absent or not voting, 8:

Bisenius	Hutchins	Kinley	Rodgers
Schwengels	Slater	Van Gilst	Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:40 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:40 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rodgers for the afternoon session and Senator Slater for the day on request of Senator Junkins.

HOUSE AMENDMENT CONSIDERED

Senate File 13

Senator Holden called up for consideration Senate File 13, a bill for an act relating to the maximum rate of interest on investments of public funds in banks, amended by the House, and moved that the Senate concur in House amendment S—3535 filed April 22, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Holden moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 13) the vote was:

Ayes, 41:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Priebe	Ramsey
Readinger	Rush	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Yenger			

Nays, 2:

DeKoster	Husak
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Absent or not voting, 7:

Deluhery	Kinley	Palmer	Rodgers
Schwengels	Slater	Taylor	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 24, 1981)

House File 766

The Senate resumed consideration of House File 766, a bill for an act relating to access to and use of solar energy, deferred April 24, 1981.

Senator Ramsey offered amendment S—3515 filed by the committee on Energy on April 16, 1981, to pages 3, 4 and 5 of the bill.

Senator Baughner asked and received unanimous consent that further action on **House File 766** and amendment S—3515 be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 324

Senator Holden called up for consideration Senate File 324, a bill for an act relating to installation of smoke detectors in multiple-unit residential buildings and to inspection by fire officials and providing a penalty, amended by the House, and moved that the concur in House amendment S—3537 filed April 22, 1981.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 324) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Anderson	Bisenius	Briles	Brown
Carr	Coleman	Craft	Deluhery
Doyle	Gallagher	Hultman	Husak
Hutchins	Junkins	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rush	Schwengels
Van Gilst	Yenger		

Nays, 25:

Baughner	Carney	Comito	DeKoster
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Absent or not voting, 3:

Kinley	Rodgers	Slater
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The motion lost and the Senate **refused to concur** in the House amendment.

BILLS REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that the following bills on the Regular Calendar no longer eligible for

consideration under Joint Rule 18 be referred to committee:

S. F.	105	Agriculture
S. F.	312	Energy
H. F.	53	Agriculture
H. F.	210	County Government
H. F.	396	Natural Resources
H. F.	738	Natural Resources
H. F.	764	Cities
H. F.	772	Natural Resources
H. F.	774	Energy
H. F.	783	State Government
H. F.	792	State Government
H. F.	829	State Government

INTRODUCTION OF BILL

Senate Joint Resolution 14, by Junkins, Hutchins, Rush, Palmer and Baugher, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the officers of the executive branch of the state government.

Read first time and **passed on file**.

APPENDIX

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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of April, 1981.

Senate Files 469, 507 and 520.

LINDA HOWARTH MACKAY
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 27, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 284—Striking the provision which prohibits a telephone company from imposing a charge for directory assistance.

S.F. 320—Relating to the performance of audiometric examinations under the Iowa Occupational Hearing Loss Act.

MOTION TO RECONSIDER (Filed April 24, 1981)

MR. PRESIDENT: I move to reconsider the vote by which House File 786 passed the Senate on April 24, 1981.

ARTHUR A. SMALL, JR.

BILLS ASSIGNED TO COMMITTEE (April 24, 1981)

President Branstad announced the assignment of the following bills to committee:

S. R.	15	Rules and Administration
H.C.R.	29	Rules and Administration

SUPPLEMENTAL REPORT OF THE
COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: The committee on memorial resolutions has ascertained the name of a former member of the Senate who has become deceased and appoints the following committee to prepare a suitable memorial resolution;

Cowden, Harry L., Guthrie Center

C.W. Bill Hutchins, Chairperson
James Briles
Norman Rodgers

DALE L. TIEDEN, Chairperson
C.W. BILL HUTCHINS
MICK LURA
BASS VAN GILST

REPORT OF COMMITTEE MEETING

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND
LAW ENFORCEMENT**

Convened: April 24, 1981, 8:35 a.m.

Members Present: Bisenius, Chairperson; Anderson, Drake and Holden.

Members Absent: Coleman, Ranking Member.

Other Committee Business: Discussion and presentation by Department of Revenue.

Adjourned: 8:50 a.m.

PETITION

The following petition was presented and placed on file by:

Senator Tieden from thirty-nine residents of Clayton County opposing legislation providing that money in the IPERS fund can be invested in loans secured by real estate mortgages for owner-occupied residential property.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventeen students from Sioux City, Iowa. Senators Carney and Doyle.

Fifty students, members of the Iowana Council Campfire Girls, Cedar Rapids, Iowa, accompanied by Kathy Reyner. Senator Kudart.

Eleven students from Kanawha Christian School, Kanawha, Iowa, accompanied by Carroll Hol.

Forty students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Steve Peik and Steve Schwemm. Senator Craft.

Forty-five students, members of the Campfire Girls from Iowana Council, Cedar Rapids and Anamosa, Iowa, accompanied by Karen De Meulenaere. Senators Rush and Wells.

AMENDMENTS FILED

S—3563	S. F.	528	House Amendment
S—3564	S. F.	485	House Amendment
S—3565	S. F.	480	House Amendment
S—3566	S. F.	409	House Amendment
S—3567	S. F.	225	House Amendment
S—3568	H.F.	754	Berl E. Priebe Alvin V. Miller James V. Gallagher Emil J. Husak
S—3569	H.F.	767	Calvin O. Hultman
S—3570	H.F.	804	Bob Carr
S—3571	S. F.	552	John W. Jensen
S—3572	H.F.	766	Dick Ramsey
S—3573	S. F.	555	Ray Taylor Berl E. Priebe
S—3574	H.F.	771	Patrick J. Deluhery
S—3575	H.F.	771	Edgar H. Holden Lucas J. DeKoster Emil J. Husak
S—3576	H.F.	771	Sue Yenger Tom Slater James E. Briles Norman J. Goodwin

S—3577

H.F.

771

Ted Anderson

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 3:02 p.m., until 10:00 a.m., Tuesday, April 28, 1981.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 28, 1981

The Senate met in regular session at 10:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend Milton Eklund, pastor of the St. John's Lutheran Church, Hampton, Iowa.

The Journal of Monday, April 27, 1981, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curt Wuest, M.D., Marshalltown, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisenius for the day on request of Senator Hultman.

WITHDRAWN

Senator Goodwin asked and received unanimous consent that **Senate File 17** be withdrawn from further consideration of the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1981, passed the following bills in which the concurrence of the House was asked:

Senate File 28, a bill for an act to allow instructional staff of a professional school to serve on the licensing board of that profession.

Senate File 158, a bill for an act relating to the disposition of unused highway right of way.

Senate File 220, a bill for an act prohibiting the revoking of an anatomical gift by a person other than the donor.

Senate File 230, a bill for an act relating to the person to whom notice of garnishment is served in a school district.

Senate File 278, a bill for an act relating to the effective date of new rates for services provided to medical assistance recipients by licensed health care facilities.

Senate File 283, a bill for an act relating to the mileage expense for witnesses and jurors.

Senate File 292, a bill for an act relating to the deposit of public funds by officers of political subdivisions of the state.

Senate File 299, a bill for an act relating to the duties of the statutory committee with respect to establishing the interest rates on public deposits and obligations.

Senate File 325, a bill for an act relating to licensure of speech pathologists and audiologists.

Senate File 358, a bill for an act relating to exemptions from the Iowa uniform securities Act for cooperative associations, cooperative housing corporations, and mutual or cooperative organizations.

Senate File 423, a bill for an act establishing definitions and rules of construction to be applied in connection with the interpretation of laws relating to real property loans.

Senate File 435, a bill for an act relating to the regulation of savings and loan associations.

Senate File 489, a bill for an act legalizing certain city waterworks.

Senate File 515, a bill for an act relating to a limitation on the time period for the filing of estates.

Senate File 529, a bill for an act relating to material donated to a public library museum or archive.

Senate File 533, a bill for an act relating to administrative positions within the department of social services.

Senate File 545, a bill for an act to legalize the proceedings of the board of directors of the Fort Dodge community school district relating to a contract for repairs to real property.

ALSO: That the House has on April 24, 1981, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 121, a bill for an act allowing a parent to file a petition to change the name of a minor child of the parent.

Senate File 146, a bill for an act relating to procedures for construction, repair and improvement of public buildings.

Senate File 170, a bill for an act relating to the payment of salary and expenses of members of the state functional classification review board.

Senate File 244, a bill for an act relating to mortgage loan disclosure, reporting, and record-keeping.

Senate File 289, a bill for an act relating to trespass on private property and imposing a penalty.

Senate File 425, a bill for an act relating to the Iowa housing finance authority and its records, loans, lending practices, and quorum requirements.

Senate File 492, a bill for an act relating to the operation of urban transit systems.

Senate File 524, a bill for an act establishing a transportation regulation authority to replace the three-member transportation regulation board with a January 1, 1982 effective date.

Senate File 526, a bill for an act relating to the registration and operation of snowmobiles.

ALSO: That the House has on April 24, 1981, adopted the following resolutions in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION 13

By: Tyrrell

1 *Whereas*, trees are the largest plants in the world;

2 and
 3 *Whereas*, trees purify and supply oxygen to the Earth's
 4 atmosphere; and
 5 *Whereas*, trees are regulators and purifiers of water in
 6 the hydrologic cycle; and
 7 *Whereas*, trees protect the Earth's soil resources from
 8 the erosive forces of nature; and
 9 *Whereas*, trees provide habitat in which wildlife may
 10 live and flourish; and
 11 *Whereas*, trees provide humans with useful products such
 12 as, rosins, lumber, pulpwood, maple syrup, fruit and nuts; and
 13 *Whereas*, trees enhance and improve the environments in
 14 which humans live in both the physical and aesthetic sense;
 15 *Now Therefore*,
 16 *Be It Resolved by the House of Representatives, the*
 17 *Senate Concurring*, That the Governor of this state is directed
 18 to designate July 1, 1981 to June 30, 1982, as the Year of the
 19 Tree, and to urge that the residents of this state observe the
 20 year by devoting a portion of it to the study and appreciation
 21 of trees including their benefits to humans and the best means
 22 of assuring their preservation.

Read first time and passed on file.

HOUSE CONCURRENT RESOLUTION 26

By: Lind, Diemer, Brandt, Carpenter, Krewson,
 Clark of Cerro Gordo, Mullins, Rapp, Poffenberger,
 McKean, Norland, Kirkenlager, Trucano, Arnold,
 Swartz, Connolly, Halvorson of Webster and Bruner

1 *Whereas*, The President, recognizing the depressed
 2 economic circumstances of the times, has recommended
 3 that the Community Services Administration be abolished;
 4 and
 5 *Whereas*, Community Action Agencies of Iowa benefit
 6 from the existence of the Community Services Administration;
 7 and
 8 *Whereas*, the Community Action Agencies of Iowa
 9 fulfill the important role of meeting the needs of
 10 low income persons of Iowa and promote self sufficiency
 11 of low income persons in Iowa; *Now Therefore*,
 12 *Be It Resolved by the House of Representatives,*
 13 *the Senate Concurring*, That the General Assembly
 14 urges the President and Congress to examine the value
 15 of the Community Services Administration, giving
 16 due consideration to the continuance of financial
 17 support for the Community Services Administration.
 18 *Be It Further Resolved*, That if continuance of
 19 financial support for the Community Services Administration

20 is recommended, the General Assembly would encourage
 21 the Congress to provide adequate funding for the beneficial
 22 programs of the Community Action Agencies.

Read first time and passed on file.

HOUSE CONCURRENT RESOLUTION 30
 By: O'Kane, Ritsema, Johnson of Linn, Cusack,
 Tyrrell, Clements, Sturgeon, Swearingen,
 Jay, Sullivan, Pelton, Lonegran,
 Binneboese, and Clark of Cerro Gordo.

1 *Whereas*, our judicial system has neglected victims of
 2 crime far too long; and
 3 *Whereas*, our judicial system should recognize the
 4 needs of victims and witnesses of violent crimes; and
 5 *Whereas*, our national government has undertaken to
 6 correct the problem; and
 7 *Whereas*, the President's advisors are considering a
 8 number of proposals that would affect crime victims and are
 9 studying the idea of a presidential commission on victims
 10 of crime; and
 11 *Whereas*, assistance to victims has been shown to
 12 reduce the effects of crime, and a growing number of
 13 communities provide some form of victims' assistance
 14 programs; and
 15 *Whereas*, the National District Attorneys Association
 16 has made victims' assistance a high priority, actively
 17 supported by groups such as the National Citizens Partici-
 18 pation Council and the National Caucus and Center of Black
 19 Aged; and
 20 *Whereas*, there exists a need to develop awareness and
 21 support for victims' assistance in the business world; and
 22 *Whereas*, there is a need to teach law enforcement
 23 officers how to use crisis management skills; and
 24 *Whereas*, the National Organization for Victims'
 25 Assistance has labored toward these ends and has made some
 26 advances; and
 27 *Whereas*, our national leaders are planning a National
 28 Victims' Rights Week, April 20-26, 1981, to recognize a
 29 national concern, *Now Therefore*,
 30 *Be It Resolved by the House of Representatives, the*

Page 2

1 *Senate Concurring*, That the General Assembly endorses
 2 National Victims' Rights Week and expresses its support
 3 for enactment of laws to aid victims and witnesses
 4 of violent crimes.

Read first time and passed on file.

HOUSE AMENDMENT CONSIDERED

Senate File 480

Senator Baugher called up for consideration Senate File 480, a bill for an act relating to properties that are exempt from judicial process, amended by the House, and moved that the Senate concur in House amendment S—3565 filed April 27, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Baugher moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 480) the vote was:

Ayes, 44:

Anderson	Baugher	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 2:

Deluhery	Palmer
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Absent or not voting, 4:

Bisenius	Kinley	Ramsey	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 21, 1981)

House File 771

The Senate resumed consideration of House File 771, a bill for an act relating to the regulation of public utilities by providing for the continuing audit of utility operations, the review of annual reports by the commission, the exemption of certain telephone companies from rate regulation, the exemption of certain water companies from commission regulation, the retroactive refund of excess charges collected after notice to the utility, the requirement that the commission approve temporary rates to be collected during rate-making proceedings, and time limitations for commission decisions in rate-making proceedings, a commerce commission investigation of the practice of allowing a public utility to recover advertising costs from its customers, to take effect upon publication, deferred on April 21, 1981.

Senator Holden offered amendment S—3514 filed by the committee on Commerce on April 16, 1981, to pages 1, 2, 4, 6 and the title page of the bill.

Senator Rush offered amendment S—3588 filed by Senators Rush, Deluhery, et al., from the floor to amendment S—3514 and called for a division of the amendment as follows:

Division S—3588A: lines 3 through 9.

Division S—3588B: lines 10 through 17.

Division S—3588C: lines 18 through 28.

Division S—3588D: lines 29 through 39.

Division S—3588E: lines 40 through 42.

Senator Rush moved the adoption of division S—3588A to amendment S—3514, which motion prevailed by a voice vote.

Senator Rush moved the adoption of division S—3588B to amendment S—3514 and requested a non record roll call.

A record roll call was requested.

On the question "Shall division S—3588B to amendment S—3514 be adopted?" (H.F. 771) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Anderson	Brown	Carr	Coleman
Comito	Craft	Deluhery	Doyle
Gentleman	Gratias	Hutchins	Junkins
Miller, A.V.	Miller, C.P.	Murray	Palmer
Rodgers	Rush	Slater	Small
Wells	Yenger		

Nays, 24:

Baughner	Carney	DeKoster	Drake
Dreeszen	Galagher	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Jensen	Kudart	Lura	Nystrom
Priebe	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst

Absent or not voting, 4:

Bisenius	Briles	Kinley	Waldstein
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Division S—3588B lost.

(House File 771, amendment S—3514 and divisions S—3588C, S—3588D and S—3588E to amendment S—3514, pending on recess.)

RECESS

On motion of Senator Hultman, the Senate recessed at 11:55 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:42 p.m., President Branstad presiding.

BUSINESS PENDING

House File 771

The Senate resumed consideration of House File 771, amendment S—3514 by the committee on Commerce and divisions S—3588C, S—3588D and S—3588E by Senators Rush, et al., to amendment S—3514, offered and pending on recess.

Senator Deluhery called for a further division of amendment S—3588 as follows:

Division S—3588C: lines 18 through 27.

Division S—3588D: lines 29 through 39.

Division S—3588E: lines 40 through 42.

Division S—3588F: line 28.

Senator Deluhery moved the adoption of division S—3588C to amendment S—3514.

A record roll call was requested.

On the question “Shall division S—3588C to amendment S—3514 be adopted?” (H.F. 771) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Murray
Palmer	Rodgers	Rush	Slater
Small	Wells	Yenger	

Nays, 27:

Baughner	Briles	Carney	Comito
DeKoster	Drake	Dreeszen	Gentleman
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Jensen	Kudart
Lura	Nystrom	Priebe	Ramsey
Readinger	Schwengels	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	

Absent or not voting, 4:

Bisenius	Craft	Gratias	Kinley
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Division S—3588C lost.

Senator Rush moved the adoption of division S—3588D to amendment S—3514 and requested a non record roll call.

A record roll call was requested.

On the question "Shall division S—3588D to amendment S—3514 be adopted?" (H.F. 771) the vote was:

Ayes, 17:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Hutchins	Junkins
Miller, C.P.	Palmer	Rodgers	Rush
Slater	Small	Tieden	Wells
Yenger			

Nays, 29:

Baughner	Carney	Comito	Craft
DeKoster	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Priebe	Ramsey	Readinger
Schwengels	Taylor	Vande Hoef	Van Gilst
Waldstein			

Absent or not voting, 4:

Bisenius	Briles	Husak	Kinley
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Division S—3588D lost.

Senator Rush moved the adoption of division S—3588E to amendment S—3514, which motion prevailed by a voice vote.

Senator Deluhery moved the adoption of division S—3588F to amendment S—3514 and requested a record roll call.

On the question "Shall division S—3588F to amendment S—3514 be adopted?" (H.F. 771) the vote was:

Ayes, 19:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Rodgers	Rush	Slater
Small	Wells	Yenger	

Nays, 25:

Baughner	Carney	Comito	Craft
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DeKoster	Drake	Dreeszen	Gentleman
Goodwin	Hester	Holden	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein			

Absent or not voting, 6:

Bisenius	Briles	Gratias	Hulse
Husak	Kinley		

Division S—3588F lost.

Senator Craft offered amendment S—3595 filed by him from the floor to amendment S—3514 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3595 to amendment S—3514 be adopted?" (H.F. 771) the vote was:

Ayes, 30:

Anderson	Baughner	Brown	Carr
Coleman	Comito	Craft	Deluhery
Doyle	Drake	Gallagher	Gentleman
Gratias	Hutchins	Jensen	Junkins
Kudart	Miller, A.V.	Miller, C.P.	Palmer
Readinger	Rodgers	Rush	Slater
Small	Taylor	Tieden	Waldstein
Wells	Yenger		

Nays, 15:

Carney	DeKoster	Dreeszen	Goodwin
Hester	Holden	Hulse	Hultman
Lura	Nystrom	Priebe	Ramsey
Schwengels	Vande Hoef	Van Gilst	

Absent or not voting, 5:

Bisenius	Briles	Husak	Kinley
Murray			

Amendment S—3595 was adopted.

Senator Taylor offered amendment S—3589 filed by him from the floor to amendment S—3514 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3589 to amendment S—3514 be adopted?” (H.F. 771) the vote was:

Ayes, 7:

Carney	Goodwin	Gratias	Holden
Jensen	Readinger	Taylor	

Nays, 39:

Anderson	Baughner	Brown	Carr
Coleman	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Hester	Hulse
Hjltman	Husak	Hutchins	Junkins
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Palmer	Priebe	Ramsey
Rodgers	Rush	Schwengels	Slater
Small	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Absent or not voting, 4:

Bisenius	Briles	Kinley	Miller, C.P.
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Amendment S—3589 lost.

Senator Lura took the chair at 3:05 p.m.

Senator Holden offered amendment S—3575 filed by Senators Holden, DeKoster and Husak on April 27, 1981, to amendment S—3514.

Senator Rush called for a division of amendment S—3575: Page 1, lines 3 through 49 as division S—3575A; page 1, line 50 and page 2 as division S—3575B.

Senator Holden moved the adoption of division S—3575A to amendment S—3514, which motion prevailed by a voice vote.

President Branstad took the chair at 3:20 p.m.

Senator Rush asked and received unanimous consent that action on division S—3575B to amendment S—3514 be temporarily deferred.

With the adoption of division S—3575A, the Chair ruled amendment S—3525 filed by Senator Baugher on April 21, 1981, to amendment S—3514, out of order.

Senator Deluhery offered amendment S—3574 filed by him on April 27, 1981, to amendment S—3514 and called for a division of the amendment:

Division S—3574A: lines 3 through 5.

Division S—3574B: lines 6 through 12.

Division S—3574C: lines 13 through 17.

Division S—3574D: lines 18 through 28.

The Chair ruled divisions S—3574A and S—3574D to amendment S—3514, out of order.

Senator Deluhery asked and received unanimous consent that action on division S—3574B to amendment S—3514 be deferred.

Senator Deluhery moved the adoption of division S—3574C to amendment S—3514.

A record roll call was requested.

On the question “Shall division S—3574C to amendment S—3514 be adopted?” (H.F. 771) the vote was:

Ayes, 19:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Gentleman
Hutchins	Junkins	Kudart	Miller, C.P.
Palmer	Rodgers	Rush	Slater
Small	Wells	Yenger	

Nays, 26:

Baugher	Briles	Comito	Craft
DeKoster	Drake	Dreeszen	Goodwin
Gratias	Hester	Holden	Hultman

Husak	Lura	Miller, A.V.	Murray
Nystrom	Priebe	Ramsey	Readinger
Schwengels	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein		

Absent or not voting, 5:

Bisenius	Carney	Hulse	Jensen
Kinley			

Division S—3574C lost.

Senator Deluhery withdrew division S—3574B to amendment S—3514, previously deferred.

Action on amendment S—3514 as amended was temporarily deferred.

Senator Craft offered amendment S—3592 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3592 was adopted by a voice vote.

Senator Anderson offered amendment S—3590 filed by Senators Anderson, Carr and Yenger from the floor to pages 5 and 6 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3590 be adopted?” (H.F. 771) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Anderson	Baughner	Brown	Carr
Coleman	Comito	Deluhery	Doyle
Gallagher	Husak	Hutchins	Junkins
Miller, A.V.	Miller, C.P.	Palmer	Rodgers
Rush	Slater	Small	Waldstein
Wells	Yenger		

Nays, 25:

Briles	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray

Nystrom	Priebe	Ramsey	Readerger
Schwengels	Taylor	Tieden	Vande Hoef
Van Gilst			

Absent or not voting, 3:

Bisenius	Carney	Kinley
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Amendment S—3590 lost.

Senator Comito offered amendment S—3591 filed by Senators Comito, et al., from the floor to page 6 of the bill.

Senator Comito offered amendment S—3597 filed by him from the floor to amendment S—3591 and moved its adoption.

Amendment S—3597 was adopted by a voice vote.

Senator Comito moved the adoption of amendment S—3591 as amended.

A record roll call was requested.

On the question "Shall amendment S—3591 as amended be adopted?" (H.F. 771) the vote was:

Ayes, 32:

Anderson	Baughner	Briles	Brown
Carr	Coleman	Comito	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Gratias	Husak	Hutchins
Jensen	Junkins	Kudart	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Rush	Schwengels	Slater	Small
Tieden	Waldstein	Wells	Yenger

Nays, 14:

Craft	DeKoster	Goodwin	Hester
Holden	Hulse	Hultman	Lura
Ramsey	Readerger	Rodgers	Taylor
Vande Hoef	Van Gilst		

Absent or not voting, 4:

Bisenius	Carney	Kinley	Murray
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Amendment S—3591 as amended was adopted.

Senator Yenger offered amendment S—3576 filed by Senators Yenger, et al., on April 27, 1981, to page 6 of the bill.

Senator Holden raised the point of order that amendment S—3576 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3576 out of order.

Senator Slater withdrew amendment S—3587 filed by him from the floor to page 6 of the bill.

Senator Anderson offered amendment S—3577 filed by him on April 27, 1981, to page 6 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3577 be adopted?” (H.F. 771) the vote was:

Ayes, 15:

Anderson	Brown	Carr	Coleman
Doyle	Gallagher	Hutchins	Junkins
Miller, C.P.	Palmer	Rush	Slater
Small	Wells	Yenger	

Nays, 30:

Baughner	Briles	Comito	Craft
DeKoster	Deluhery	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Jensen
Kudart	Lura	Miller, A.V.	Murray
Nystrom	Priebe	Ramsey	Readinger
Schwengels	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein		

Absent or not voting, 5:

Bisenius	Carney	Drake	Kinley
Rodgers			

Amendment S—3577 lost.

The Senate resumed consideration of amendment S—3514, as amended, by the committee on Commerce, previously deferred.

Senator Craft offered amendment S—3598 filed by him from the floor to amendment S—3514 and moved its adoption.

Amendment S—3598 was adopted by a voice vote.

Senator Holden moved the adoption of division S—3575B to amendment S—3514, previously deferred.

Division S—3575B was adopted by a voice vote.

Senator Craft withdrew amendment S—3596 filed by him from the floor to amendment S—3514.

Senator Holden moved the adoption of amendment S—3514 as amended.

A record roll call was requested.

On the question “Shall amendment S—3514 as amended be adopted?” (H.F. 771) the vote was:

Ayes, 30:

Baugher	Briles	Carney	Comito
Craft	DeKoster	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Hester
Holden	Hulse	Hultman	Husak
Lura	Miller, A.V.	Murray	Nystrom
Priebe	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Yenger		

Nays, 17:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gratias	Hutchins
Jensen	Junkins	Kudart	Miller, C.P.
Palmer	Rush	Slater	Small
Wells			

Absent or not voting, 3:

Bisenius	Kinley	Rodgers
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Amendment S—3514 as amended was adopted.

Senator Holden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 771) the vote was:

Ayes, 28:

Baughner	Craft	DeKoster	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Hultman
Husak	Kudart	Lura	Miller, A.V.
Murray	Nystrom	Priebe	Ramsey
Readinger	Schwengels	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Yenger

Nays, 17:

Anderson	Brown	Carr	Coleman
Comito	Deluhery	Doyle	Gratias
Hutchins	Jensen	Junkins	Miller, C.P.
Palmer	Rush	Slater	Small
Wells			

Voting present, 1:

Carney

Absent or not voting, 4:

Bisenius	Briles	Kinley	Rodgers
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

INTRODUCTION OF BILL

Senate File 556, by Committee on Ways and Means, a bill for an act providing for the valuation of forest and fruit-tree reservations at fifteen dollars per acre effective January 1 following enactment.

Read first time and **placed on calendar**.

APPENDIX

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 enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 28th day of April, 1981.

Senate Files 114 and 542.

LINDA HOWARTH MACKAY
Secretary of the Senate

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 27, 1981.

Had I been present, I would have voted "aye" on Senate Files 13 and 355.

PATRICK J. DELUHERY

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 28, 1981, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 542—Making a supplemental appropriation to the Department of Social Services for the fiscal year ending June 30, 1981, for the Aid to Dependent Children Program, field operations, and operation of the adult correctional institutions.

H.F. 157—Relating to the authority of school districts to sell, lease, or dispose of school property.

H.F. 371—Relating to the prohibition of open burning under certain conditions and providing a penalty.

H.F. 588—Relating to the collection by lenders of certain fees from persons other than sellers and borrowers in connection with certain real property purchase-money loans.

H.F. 740—To increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title.

BILL ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bill to committee:

S. J. R. 14 State Government

REPORT OF COMMITTEE MEETING**WAYS AND MEANS**

Convened: April 28, 1981, 9:00 a.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Ramsey, Rush, Taylor and Van Gilst.

Members Absent: none.

Final Bill Action: Senate File 556, a bill for an act providing for the valuation of forest and fruit tree reservations at fifteen dollars per acre effective January 1, following enactment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Craft, Hester, Holden, Husak, Lura, Palmer, Priebe, Ramsey and Van Gilst. Nays, none. Absent or not voting, 6: Readinger, Rodgers, Hultman, Junkins, Rush and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 410 as a committee bill.

Adjourned: 9:50 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-six students from the Prairie City Christian School, Prairie City, Iowa, accompanied by Mrs. Evie Stravers. Senator Brown.

One hundred fifty students from Washington Elementary School, Red Oak, Iowa, accompanied by Mr. Pat Fehring, Mrs. Arlette Palm, Mrs. Sue Timmerman, Mr. Al Krabbenhoft and Mrs. Mona Swenson. Senator Hultman.

Forty students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Mr. Brem and Mr. Wilhelm. Senator Craft.

Twenty-seven students from the Lutheran Inter-Parish School, Williamsburg, Iowa, accompanied by Duane Miller. Senator Husak.

Fifty students from Roosevelt Junior High School, Mason City, Iowa, accompanied by Richard Attleson and Homer Clark. Senator A. Miller.

Twenty members of the Missouri Valley Hot Shots 4-H Club, Missouri Valley, Iowa, accompanied by Shirley Fidone and Sharon Collier. Senator Hester.

The following visitors were present in the Senate gallery:

Thirty-one students, members of the Campfire Girls Iowana Council, Cedar Rapids, Iowa, accompanied by Pat Garrett. Senators Kudart and Rush.

AMENDMENTS FILED

S—3578	S. F.	121	House Amendment
S—3579	S. F.	146	House Amendment
S—3580	S. F.	170	House Amendment
S—3581	S. F.	244	House Amendment
S—3582	S. F.	289	House Amendment
S—3583	S. F.	425	House Amendment
S—3584	S. F.	492	House Amendment
S—3585	S. F.	524	House Amendment
S—3586	S. F.	526	House Amendment
S—3587	H.F.	771	Tom Slater
S—3588	H.F.	771	Bob Rush
			Patrick J. Deluhery
			Lowell L. Junkins
			Ted Anderson
			C. Joseph Coleman
			Tom Slater
			Joe Brown
			James D. Wells
			Donald V. Doyle

S—3589	H.F.	771	Ray Taylor
S—3590	H.F.	771	Ted Anderson Bob Carr Sue Yenger
S—3591	H.F.	771	Richard Comito Gary L. Baugher John W. Jensen Berl E. Priebe Bob Rush Emil J. Husak
S—3592	H.F.	771	Rolf V. Craft
S—3593	H.F.	766	Gary L. Baugher Dale L. Tieden Berl E. Priebe
S—3594	H.C.R.	13	Lowell L. Junkins Berl E. Priebe
S—3595	H.F.	771	Rolf V. Craft
S—3596	H.F.	771	Rolf V. Craft
S—3597	H.F.	771	Richard Comito
S—3598	H.F.	771	Rolf V. Craft
S—3599	S. F.	517	Dick Ramsey
S—3600	S. F.	544	Norman Rodgers David M. Readinger Clarence S. Carney Gary L. Baugher Lowell L. Junkins A.R. (Bud) Kudart Rolf V. Craft James D. Wells Arne Waldstein Bob Carr Julia Gentleman Tom Slater

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Wednesday, April 29, 1981.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 29, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend John W. Stark, pastor of the St. Patrick's Catholic Church, Tama, Iowa.

The Journal of Tuesday, April 28, 1981, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 1981, passed the following bills in which the concurrence of the House was asked:

Senate File 408, a bill for an act relating to the production and sale of dairy products by updating certain standards and changing internal references required by the Interstate Milk Shippers Compact and by striking or repealing inconsistent provisions.

Senate File 439, a bill for an act relating to the retail sale of beer by manufacturers of beer on the premises of the manufacturing facility for on or off premises consumption.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Palmer for the morning session on request of Senator Junkins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up out of order Senate File 544.

Senate File 544

On motion of Senator Readinger, Senate File 544, a bill for an act relating to the imposition of local option taxes by a city or county and providing for penalties, with report of committee recommending passage, was taken up for consideration.

Senator Rodgers offered amendment S—3600 filed by Senators Rodgers, et al., on April 28, 1981, to pages 1, 2 and 4 of the bill.

Senator Lura raised the point of order that amendment S—3600 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3600 out of order.

The Chair ruled amendment S—3601 filed by Senator Craft from the floor to amendment S—3600 out of order.

The Chair ruled amendments S—3603, S—3604, S—3605, S—3606 and S—3607 filed by Senator Readinger from the floor to amendment S—3600, out of order.

Senator Junkins asked unanimous consent that Senate File 544 be referred to the committee on Ways and Means.

Objection was raised by Senator Gallagher.

President pro tempore Ramsey took the chair at 9:55 a.m.

Senator Junkins asked and received unanimous consent that further action on **Senate File 544** be **deferred**.

HOUSE AMENDMENTS CONSIDERED

Senate File 225

Senator Drake called up for consideration Senate File 225, a bill for an act relating to retainage withheld from payment to contractors under contracts for public improvements, amended by the House, and moved that the Senate concur in House amendment S—3567 filed April 27, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 225) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Priebe	Ramsey	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Kinley	Palmer	Readinger
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 121

Senator Taylor called up for consideration Senate File 121, a bill for an act allowing a parent to file a petition to change the name of a minor child of the parent, amended by the House, and moved that the Senate concur in House amendment S—3578 filed April 28, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Taylor moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 121) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Jensen	Kinley	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 485

Senator Kudart called up for consideration Senate File 485, a bill for an act relating to hazardous waste management, including new prohibited acts and providing penalties for violations, amended by the House, and moved that the Senate concur in House amendment S—3564 filed April 27, 1981.

Senator Carney took the chair at 10:12 a.m.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Kudart moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 485) the vote was:

Ayes, 46:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Craft	DeKoster	Deluhery	Doyle

Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

Absent or not voting, 4:

Comito	Kinley	Lura	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 517

Senator Ramsey called up for consideration Senate File 517, a bill for an act relating to certain crimes including accessory after the fact, assault, terrorism, attempted burglary, theft, and other crimes which may result from the use of force in excess of reasonable force, and providing penalties, amended by the House by House amendment S—3545 filed April 23, 1981.

Senator Ramsey offered amendment S—3599 filed by him on April 28, 1981, to House amendment S—3545.

Senator Carr raised the point of order that House amendment S—3545 was not germane to the bill.

The Chair stated he would take the point under advisement and would render a ruling at a later time.

Action on **Senate File 517**, House amendment S—3545, and amendment S—3599 to House amendment S—3545 was **deferred**.

Senate File 409

Senator Gentleman called up for consideration Senate File 409, a bill for an act relating to the qualifications of the superintendent of a state mental health institute, amended by the House, and moved that the Senate concur in House amendment S—3566 filed April 27, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gentleman moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 409) the vote was:

Ayes, 48:

Anderson	Baugher	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodywin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, none.

Absent or not voting, 2:

Kinley Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 528

Senator Ramsey called up for consideration Senate File 528, a bill for an act concerning certain criminal procedures relating to notice of seized property, nontestimonial identification, trial by jury, and deferred judgments, deferred sentences and suspended sentences, amended by the House, and moved that the Senate concur in House amendment S—3563 filed April 27, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Ramsey moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 528) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Gallagher	Kinley	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 170

Senator Miller of Des Moines called up for consideration Senate File 170, a bill for an act relating to the payment of salary and expenses of members of the state functional classification review board, amended by the House, and moved that the Senate concur in House amendment S—3580 filed April 28, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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 by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 170) the vote was:

Ayes, 47:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman

Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Taylor	Tieden	Van Gilst
Waldstein	Wells	Yenger	

Nays, none.

Absent or not voting, 3:

Kinley	Palmer	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 244

Senator DeKoster called up for consideration Senate File 244, a bill for an act relating to mortgage loan disclosure, reporting, and record-keeping, amended by the House, and moved that the Senate concur in House amendment S—3581 filed April 28, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator DeKoster moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 244) the vote was:

Ayes, 47:

Baughner	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kudart	Lura
Miller, A.V.	Miller, C.P.	Murray	Nystrom
Priebe	Ramsey	Readinger	Rodgers
Rush	Schwengels	Slater	Small

Taylor
Waldstein

Tieden
Wells

Vande Hoef
Yenger

Van Gilst

Nays, none.

Absent or not voting, 3:

Anderson

Kinley

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 289

Senator Tieden called up for consideration Senate File 289, a bill for an act relating to trespass on private property and imposing a penalty, amended by the House by House amendment S—3582 filed on April 28, 1981.

Senator Junkins asked and received unanimous consent that action on **Senate File 289** and House amendment S—3582 be **deferred**.

Senate File 425

Senator Hutchins called up for consideration Senate File 425, a bill for an act relating to the Iowa housing finance authority and its records, loans, lending practices, and quorum requirements, amended by the House by House amendment S—3583 filed on April 28, 1981.

Senator DeKoster asked and received unanimous consent that action on **Senate File 425** and House amendment S—3583 be **deferred**.

Senate File 492

Senator Hutchins called up for consideration Senate File 492, a bill for an act relating to the operation of urban transit systems, amended by the House, and moved that the Senate concur in House amendment S—3584 filed April 28, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hutchins moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 492) the vote was:

Ayes, 44:

Anderson	Baughner	Bisenius	Briles
Carney	Carr	Coleman	Comito
Craft	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Yenger

Nays, 1:

Husak

Absent or not voting, 5:

Brown	DeKoster	Kinley	Palmer
Small			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:10 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

BUSINESS PENDING

Senate File 517

The Senate resumed consideration of Senate File 517, House amendment S—3545 and amendment S—3599 by Senator Ramsey to House amendment S—3545, previously deferred.

Pertaining to the point of order raised by Senator Carr during the morning session that House amendment S—3545 was not germane to Senate File 517, the Chair stated that there is no provision for the President of the Senate to rule on the germaneness of House amendments and, therefore, ruled the point not well taken.

Senator Holden took the chair at 1:50 p.m.

Senator Junkins asked and received unanimous consent that action on **Senate File 517**, House amendment S—3545 and amendment S—3599 to House amendment S—3545 be **deferred**.

HOUSE AMENDMENTS CONSIDERED

Senate File 524

Senator Drake called up for consideration Senate File 524, a bill for an act establishing a transportation regulation authority to replace the three-member transportation regulation board with a January 1, 1982 effective date, amended by the House, and moved that the Senate concur in House amendment S—3585 filed on April 28, 1981.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 524) the vote was:

Ayes, 43:

Anderson
Carr

Briles
Coleman

Brown
Comito

Carney
Craft

DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Slater	Small	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Baughner	Bisenius	Gallagher	Kinley
Rodgers	Taylor	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 526

Senator Kudart called up for consideration Senate File 526, a bill for an act relating to the registration and operation of snowmobiles, amended by the House, and moved that the Senate concur in House amendment S—3586 filed on April 28, 1981.

A non record roll call was requested.

The ayes were 9, nays 33.

The motion lost and the Senate **refused to concur** in the House amendment.

BILL REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that **House File 754** be referred from the Unfinished Business calendar to the committee on **Transportation**.

BUSINESS PENDING

Senate File 425

The Senate resumed consideration of Senate File 425 and House amendment S—3583, previously deferred.

Senator Hutchins offered amendment S—3613 filed by Senators Hutchins and DeKoster from the floor to House amendment S—3583.

Senator Hutchins asked and received unanimous consent that a technical correction be made in amendment S—3613 changing the House amendment number from “S—3585” to “S—3583”.

Senator Hutchins moved the adoption of amendment S—3613, which motion prevailed by a voice vote.

Senator Hutchins moved that the Senate concur in House amendment S—3583, as amended, which motion prevailed by a voice vote.

Senator Hutchins 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 by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 425) the vote was:

Ayes, 44:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Slater	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Baughner	Junkins	Kinley	Rodgers
Taylor	Yenger		

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 146

Senator Drake called up for consideration Senate File 146, a bill for an act relating to procedures for construction, repair and improvement of public buildings, amended by the House by House amendment S—3579 filed on April 28, 1981.

Senator Drake offered amendment S—3614 filed by him from the floor to House amendment S—3579 and moved its adoption.

Amendment S—3614 was adopted by a voice vote.

Senator Drake moved that the Senate concur in House amendment S—3579, as amended, which motion prevailed by a voice vote.

Senator Drake 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 by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 146) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 44:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rush
Schwengels	Slater	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Baughner	Coleman	Kinley	Rodgers
Taylor	Yenger		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Taylor, Yenger and Baugher for the afternoon session and for April 30 and May 1, 1981.

UNFINISHED BUSINESS
(Deferred April 23, 1981)

House File 154

The Senate resumed consideration of House File 154, a bill for an act relating to the notice given before commencing an action for forcible entry or detention of real property and mobile homes and to judgments resulting therefrom, deferred on April 23, 1981.

Senator Deluhery withdrew the motion to reconsider the vote by which amendment S—3450 to House File 154 failed to be adopted by the Senate on April 23, 1981, filed by him on April 23, 1981, and found on page 1405 of the Senate Journal.

Senator Kudart moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 154) the vote was:

Ayes, 33:

Bisenius	Briles	Carney	Coleman
Comito	Craft	DeKoster	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Jensen	Kudart
Lura	Miller, A.V.	Murray	Nystrom
Priebe	Ramsey	Readinger	Rush
Schwengels	Tieden	Vande Hoef	Van Gilst
Waldstein			

Nays, 11:

Anderson	Brown	Carr	Deluhery
Gallagher	Junkins	Miller, C.P.	Palmer
Slater	Small	Wells	

Voting present, 1:

Hutchins

Absent or not voting, 5:

Baughner
Yenger

Kinley

Rodgers

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President Branstad took the chair at 3:00 p.m.

UNFINISHED BUSINESS (Deferred April 24, 1981)

House File 782

The Senate resumed consideration of House File 782, a bill for an act relating to the powers and duties of the governor during a disaster emergency, to be effective upon publication, deferred on April 24, 1981.

Senator Rush offered amendment S—3562 filed by him on April 24, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3562 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that action on **House File 782 be deferred.**

UNFINISHED BUSINESS (Deferred April 24, 1981)

House File 788

The Senate resumed consideration of House File 788, a bill for an act excluding child day care providers and babysitters from the child foster care licensing requirements, requiring family and group day care providers who are foster care licensees to register under chapter 237A, and providing that foster children are considered children of the family or group day care provider, and amendment S—3554 by Senator Gentleman to page 1 of the bill, deferred April 24, 1981.

Senator Gentleman asked unanimous consent to withdraw amendment S—3554.

Objection was raised by Senator Hutchins.

Senator Hutchins asked and received unanimous consent that action on **House File 788** and amendment S—3554 be **deferred**.

UNFINISHED BUSINESS
(Deferred April 24, 1981)

House File 826

Senator Tieden called up for consideration House File 826, a bill for an act relating to certain obligations under chapter 258A of licensees under chapter 116, placed on the calendar as unfinished business on April 24, 1981.

Senator Tieden moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 826) the vote was:

Ayes, 41:

Anderson	Bisenius	Brown	Carney
Carr	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Readinger	Rush	Schwengels	Slater
Small	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Baughner	Briles	Coleman	Kinley
Ramsey	Rodgers	Taylor	Van Gilst
Yenger			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 24, 1981)

House File 762

The Senate resumed consideration of House File 762, a bill for an act relating to inspections of state and local facilities and the state juvenile facilities, deferred on April 24, 1981.

Senator Carr moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 762) the vote was:

Ayes, 41:

Anderson	Bisenius	Brown	Carney
Carr	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Priebe	Ramsey
Readinger	Rush	Schwengels	Slater
Small	Tieden	Vande Hoef	Waldstein
Wells			

Nays, 1:

Palmer

Absent or not voting, 8:

Baughner	Briles	Coleman	Kinley
Rodgers	Taylor	Van Gilst	Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 27, 1981)

House File 766

The Senate resumed consideration of House File 766, a bill for an act relating to access to and use of solar energy, and amendment S—3515 by the committee on Energy to pages 3 through 5 of the bill, deferred on April 27, 1981.

Senator Tieden offered amendment S—3593 filed by Senators Baugher, Tieden and Priebe on April 28, 1981, to amendment S—3515 and moved its adoption.

Amendment S—3593 was adopted by a voice vote.

Senator Ramsey moved the adoption of amendment S—3515 as amended.

A non record roll call was requested.

The ayes were 38, nays 3.

Amendment S—3515 as amended was adopted.

Senator Ramsey offered amendment S—3572 filed by him on April 27, 1981, to pages 2 through 4 of the bill and moved its adoption.

Amendment S—3572 was adopted by a voice vote.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 766) the vote was:

Ayes, 30:

Anderson	Bisenius	Brown	Carr
Comito.	Craft	Deluhery	Doyle
Dreeszen	Gallagher	Gentleman	Goodwin
Hulse	Husak	Hutchins	Junkins
Kudart	Miller, A.V.	Miller, C.P.	Murray
Palmer	Priebe	Ramsey	Readinger
Slater	Small	Tieden	Vande Hoef
Van Gilst	Wells		

Nays, 13:

Carney	DeKoster	Drake	Gratias
Hester	Holden	Hultman	Jensen
Lura	Nystrom	Rush	Schwengels
Waldstein			

Absent or not voting, 7:

Baugher	Briles	Coleman	Kinley
Rodgers	Taylor	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 24, 1981)

House File 816

The Senate resumed consideration of House File 816, a bill for an act regulating the offer and sale of business opportunities and providing penalties for violations, deferred April 24, 1981.

Senator Ramsey asked and received unanimous consent that action on **House File 816** be deferred.

UNFINISHED BUSINESS
(Deferred March 25, 1981)

House File 440

The Senate resumed consideration of House File 440, a bill for an act to provide for redrawing director districts in a merged area, deferred March 25, 1981.

Senator Carr offered amendment S—3240 filed by Senators Carr and Bisenius on March 23, 1981, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 18.

Amendment S—3240 was adopted.

Senator Carney moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 440) the vote was:

Ayes, 43:

Bisenius	Briles	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias

Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rush	Schwengels
Slater	Small	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, 1:

Anderson

Absent or not voting, 6:

Baughner	Drake	Kinley	Rodgers
Taylor	Yenger		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Carney asked and received unanimous consent that **Senate File 330** be withdrawn from further consideration of the Senate.

BUSINESS PENDING

Senate File 517

The Senate resumed consideration of Senate File 517, House amendment S—3545 and amendment S—3599 by Senator Ramsey to House amendment S—3545, previously deferred.

Senator Ramsey moved the adoption of amendment S—3599 to House amendment S—3545, which motion prevailed by a voice vote.

Senator Wells offered amendment S—3612 filed by him from the floor to House amendment S—3545.

Senator Kudart raised the point of order that amendment S—3612 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3612 out of order.

Senator Junkins asked and received unanimous consent that action on House amendment S—3545, as amended, be temporarily deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

The Senate resumed consideration of House amendment S—3545 as amended, previously deferred.

Senator Ramsey offered amendment S—3616 filed by him from the floor to House amendment S—3545 and moved its adoption.

Amendment S—3616 was adopted by a voice vote.

Senator Ramsey moved that the Senate concur in House amendment S—3545 as amended.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 21.

The motion prevailed and the Senate concurred in the House amendment as amended.

Senator Ramsey 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 by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 517) the vote was:

Ayes, 30:

Bisenius	Carney	Coleman	Comito
Craft	Drake	Dreeszen	Gallagher
Goodwin	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Priebe	Ramsey
Schwengels	Small	Tieden	Vande Hoef
Van Gilst	Waldstein		

Nays, 13:

Anderson	Brown	Carr	DeKoster
Deluhery	Doyle	Gentleman	Gratias
Palmer	Readinger	Rush	Slater
Wells			

Absent or not voting, 7:

Baughner	Briles	Kinley	Nystrom
Rodgers	Taylor	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

APPENDIX COMMUNICATION

The following communication was filed with the Secretary of the Senate on April 27, 1981:

April 27, 1981

Ms. Linda Howarth Mackay
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Mackay:

Transmitted is a claim against the State of Iowa to be filed with the Claims Committee of the Senate.

This was inadvertently left off the list sent to you on March 26, 1981. The claim is as follows:

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
6613-69-25	Wayne J. Barnes, DDS Attorney Fees	\$5,671.23	Disapproved

Very truly yours,
MAURICE E. BARINGER
Chairman
State Appeal Board

Receipt of the above is hereby acknowledged.

LINDA HOWARTH MACKAY
Secretary of the Senate

STUDY BILLS RECEIVED

S.S.B. 413 Appropriations

Providing for the appropriation of federal funds received in the form of block grants or categorical grants by the general assembly.

S.S.B. 414 Ways and Means

To allow further time for elderly or disabled persons to file claims for rent reimbursement or property tax credit.

BILLS ASSIGNED TO COMMITTEE

President Branstad announced the assignment of the following bills to committee:

H.C.R.	13	Rules and Administration
H.C.R.	26	Rules and Administration
H.C.R.	30	Rules and Administration

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-three students from Beaman-Conrad-Liscomb Community School, Conrad, Iowa, accompanied by Mrs. Mary Pieper and Mr. John Ehn. Senator Jensen.

Members of the Clinton County 4-H Council, DeWitt, Iowa, accompanied by Jim Miller and Nancy Tometich. Senator Goodwin.

Nineteen students from Green Mountain Jr-Sr. High School, Green Mountain, Iowa, accompanied by Deborah Henningsen. Senator Lura.

Thirty-eight students from Lincoln Central Community School, Gruver, Iowa, accompanied by John C. Ashton. Senator Priebe.

Forty-seven students from New Market Jr-Sr. High School, New Market, Iowa, accompanied by Dale Healy, Elvin Farguhar and Pat O'Dell. Senator Briles.

AMENDMENTS FILED

S-3601	S. F.	544	Rolf V. Craft
S-3602	S. F.	544	David M. Readinger
S-3603	S. F.	544	David M. Readinger
S-3604	S. F.	544	David M. Readinger
S-3605	S. F.	544	David M. Readinger
S-3606	S. F.	544	David M. Readinger
S-3607	S. F.	544	David M. Readinger
S-3608	S. F.	544	David M. Readinger

S—3609	S. F.	544	David M. Readinger
S—3610	S. F.	289	Lowell L. Junkins
			Gary L. Baugher
S—3611	H.F.	823	Donald V. Doyle
			Gary L. Baugher
S—3612	S. F.	517	James D. Wells
S—3613	S. F.	425	C.W. Bill Hutchins
			Lucas J. DeKoster
S—3614	S. F.	146	Richard F. Drake
S—3615	H.F.	782	Lowell L. Junkins
			Calvin O. Hultman
S—3616	S. F.	517	Dick Ramsey

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Thursday, April 30, 1981.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 30, 1981

The Senate met in regular session at 9:05 a.m., President Branstad presiding.

Prayer was offered by the Reverend Carl Riggs, pastor of the First United Presbyterian Church, Fairfield, Iowa.

The Journal of Wednesday, April 29, 1981, was approved as corrected.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murray for the morning session on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 28, 1981, passed the following bill in which the concurrence of the Senate is asked:

House File 843, a bill for an act relating to the support of a stepchild.

Read first time and passed on file.

ALSO: That the House has on April 28, 1981, passed the following bills in which the concurrence of the House was asked:

Senate File 80, a bill for an act relating to the administration of judicial district department of correctional services.

Senate File 468, a bill for an act relating to the payment of tuition and transportation costs of certain children receiving foster care.

UNFINISHED BUSINESS (Deferred April 29, 1981)

House File 816

The Senate resumed consideration of House File 816, a bill for an act regulating the offer and sale of business opportunities and providing penalties for violations, deferred on April 29, 1981.

Senator DeKoster offered amendment S—3527 filed by Senators Ramsey, et al., on April 21, 1981, to pages 1, 3, 4, 5 and 9 of the bill and moved its adoption.

Amendment S—3527 was adopted by a voice vote.

Senator Small moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 816) the vote was:

Ayes, 43:

Anderson	Bisenius	Briles	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Small	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Baigher	Brown	Drake	Murray
Ramsey	Taylor	Yenger	

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 816 passed the Senate on April 30, 1981.

LOWELL L. JUNKINS

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Hultman asked and received unanimous consent to take up out of order Senate Concurrent Resolution 9.

Senate Concurrent Resolution 9

On motion of Senator Craft, Senate Concurrent Resolution 9, a resolution urging Congress to act favorably upon legislation calling for a 12.5 percent ceiling on coal severance taxes, filed on February 18, 1981, found on pages 499-500 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senator Hultman asked and received unanimous consent to take up out of order House File 470.

House File 470

On motion of Senator Priebe, House File 470, a bill for an act relating to the statute of limitations on assessment of the income and franchise taxes, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 470) the vote was:

Ayes, 44:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rodgers	Rush

Schwengels	Slater	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Baughner	Drake	Murray	Ramsey
Taylor	Yenger		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 504

On motion of Senator Hester, House File 504, a bill for an act relating to the enforcement of distress warrants issued by the director of revenue, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hester offered amendment S—3259 filed by the committee on Ways and Means on March 26, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3259 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 504) the vote was:

Ayes, 44:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Baughner
Taylor

Gallagher
Yenger

Murray

Ramsey

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 549.

Senate File 549

On motion of Senator Palmer, Senate File 549, a bill for an act relating to the taxable status of property acquired in connection with the establishment, improvement, and maintenance of a public road and the collection of property taxes on the property, with report of committee recommending passage, was taken up for consideration.

Senator Comito asked and received unanimous consent that action on **Senate File 549** be deferred.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 400.

Senate File 400

On motion of Senator Rush, Senate File 400, a bill for an act providing for the taxation of a lump sum distribution of an individual, estate or trust who has elected to have the distribution separately taxed under the Internal Revenue Code of 1954 and providing for a January 1 effective date, with report of committee recommending passage, was taken up for consideration.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 400) the vote was:

Ayes, 44:

Anderson
Carney
Craft
Drake

Bisenius
Carr
DeKoster
Dreeszen

Briles
Coleman
Deluhery
Gallagher

Brown
Comito
Doyle
Gentleman

Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rodgers
Rush	Schwengels	Slater	Small
Tieden	Vande Hoef	Van Gilst	Wells

Nays, none.

Absent or not voting, 6:

Baughner	Murray	Ramsey	Taylor
Waldstein	Yenger		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order House File 155.

House File 155

On motion of Senator Lura, House File 155, a bill for an act to provide for the filing of applications to claim the personal property tax credit in even-numbered years when property is revalued and making the Act retroactive to January 1, 1981, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 155** be **deferred**.

Senate File 323

On motion of Senator Rodgers, Senate File 323, a bill for an act relating to mobile homes by providing that the semi-annual mobile home tax is due and payable and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, that title shall not be transferred if taxes are owing, that mobile homes are not subject to annual registration, and that before mobile homes can be transported a tax clearance that taxes are not owing must be obtained, requiring that present owners who are not titled in the county where their mobile homes are located must notify the county treasurer and providing a January 1 effective date, with report of committee recommending passage, was taken up for consideration.

Senator Rodgers moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 323) the vote was:

Ayes, 39:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rodgers	Rush	Slater
Small	Vande Hoef	Van Gilst	

Nays, 5:

Coleman	Hulse	Schwengels	Tieden
Wells			

Absent or not voting, 6:

Baughner	Murray	Ramsey	Taylor
Waldstein	Yenger		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 523.

Senate File 523

On motion to Senator Rush, Senate File 523, a bill for an act relating to the confidentiality of claims for property tax credits and rent reimbursements, with report of committee recommending passage, was taken up for consideration.

Senator Rush moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 523) the vote was:

Ayes, 42:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Nystrom	Palmer	Priebe
Readinger	Rodgers	Rush	Schwengels
Slater	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, none.

Voting present, 1:

Miller, C.P.

Absent or not voting, 7:

Baughner	Hultman	Murray	Ramsey
Small	Taylor	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lura took the chair at 10:35 a.m.

UNFINISHED BUSINESS (Deferred April 29, 1981)

House File 782

The Senate resumed consideration of House File 782, a bill for an act relating to the powers and duties of the governor during a disaster emergency, to be effective upon publication, deferred April 29, 1981.

Senator Drake offered amendment S—3615 filed by Senators Junkins and Hultman on April 29, 1981, to page 2 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3615 be adopted?" (H.F. 782) the vote was:

Ayes, 36:

Anderson	Briles	Brown	Carney
Carr	Coleman	Comito	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Hutchins	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Tieden	Van Gilst	Wells

Nays, 5:

Craft	Holden	Lura	Vande Hoef
Waldstein			

Absent or not voting, 9:

Baughner	Bisenius	Hulse	Hultman
Husak	Murray	Ramsey	Taylor
Yenger			

Amendment S—3615 was adopted.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Lura presiding.

Senator Rush offered amendment S—3618 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3618 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 782) the vote was:

Ayes, 39:

Anderson	Briles	Brown	Carney
Carr	Coleman	Comito	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Nystrom

Palmer	Priebe	Readinger	Rodgers
Rush	Schwengels	Small	Tieden
Vande Hoef	Van Gilst	Wells	

Nays, 3:

Craft	Holden	Waldstein
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Absent or not voting, 8:

Baughner	Bisenius	Hultman	Murray
Ramsey	Slater	Taylor	Yenger

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 (Regular Calendar)

Senator Holden asked and received unanimous consent to take up out of order House File 734.

House File 734

On motion of Senator Craft, House File 734, a bill for an act establishing the rate of interest payable on delinquent taxes owed to the state, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Craft offered amendment S—3260 filed by the committee on Ways and Means on March 26, 1981, to page 1 of the bill and moved its adoption.

Amendment S—3260 was adopted by a voice vote.

Senator Craft moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 734) the vote was:

Ayes, 44:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Comito
Craft	DeKoster	Deluhery	Doyle
Drake	Dreeszen	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holden

Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Kudart	Lura
Miller, A.V.	Murray	Nystrom	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, 2:

Miller, C.P.	Palmer
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Absent or not voting, 4:

Baughner	Jensen	Taylor	Yenger
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 350

On motion of Senator Craft, House File 350, a bill for an act relating to the computation of interest on overpayments made under the individual income, corporate income and franchise taxes and providing for its effect upon publication for overpayments resulting from returns due on or after April 30, 1981, with report of committee recommending passage, was taken up for consideration.

Senator Craft moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 350) the vote was:

Ayes, 43:

Anderson	Bisenius	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Holden	Hulse	Hultman
Husak	Hutchins	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Rodgers	Rush	Schwengels
Slater	Small	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Baughner	Briles	Hester	Jensen
Readinger	Taylor	Yenger	

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 Lura presiding.

Senator Hultman asked and received unanimous consent to take up out of order Senate File 551.

Senate File 551

On motion of Senator Drake, Senate File 551, a bill for an act relating to the sale of public revenue bonds and making it effective upon publication, was taken up for consideration.

Senator Drake moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 551) the vote was:

Ayes, 42:

Anderson	Bisenius	Brown	Carney
Carr	Comito	Craft	DeKoster
Deluhery	Doyle	Drake	Dreeszen
Gallagher	Gentleman	Goodwin	Gratias
Hester	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 3:

Holden	Hulse	Priebe
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Voting present, 1:

Coleman

Absent or not voting, 4:

Baughner Briles Taylor Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Craft took the chair at 11:30 a.m.

Senator Nystrom took the chair at 11:32 a.m.

BUSINESS PENDING

House File 155

The Senate resumed consideration of House File 155, previously deferred.

Senator Priebe offered amendment S—3619 filed by Senators Priebe and Lura from the floor to page 1 of the bill and moved its adoption.

Amendment S—3619 was adopted by voice vote.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 155) the vote was:

Ayes, 44:

Anderson	Bisenius	Brown	Carney
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake
Dreeszen	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holden	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Kudart	Lura	Miller, A.V.
Miller, C.P.	Murray	Nystrom	Palmer
Priebe	Ramsey	Readinger	Rodgers
Rush	Slater	Small	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Baughner Briles Jensen Schwengels
Taylor Yenger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hultman, the Senate recessed at 11:45 a.m., until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:10 p.m., President Branstad presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 557, by Hultman and Junkins, a bill for an act to provide that a volunteer firefighter shall not be classified as a chauffeur when operating fire apparatus.

Read first time and **passed on file.**

BUSINESS PENDING

Senate File 549

The Senate resumed consideration of Senate File 549, previously deferred.

Senator Palmer moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 549) the vote was:

Ayes, 41:

Anderson	Bisenius	Briles	Brown
Carney	Carr	Coleman	Craft
Deluhery	Doyle	Drake	Dreeszen

Gallagher	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Miller, C.P.	Murray
Nystrom	Palmer	Priebe	Ramsey
Readinger	Rodgers	Rush	Schwengels
Slater	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Baughner	Comito	DeKoster	Husak
Hutchins	Small	Taylor	Van Gilst
Yenger			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

House File 468

On motion of Senator Craft, House File 468, a bill for an act relating to the taxation of certain optional service or maintenance contracts which provide for the furnishing of labor and materials for a fixed price, with report of committee recommending passage, was taken up for consideration.

Senator Craft moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 468) the vote was:

Ayes, 35:

Bisenius	Briles	Brown	Carney
Coleman	Comito	Craft	DeKoster
Deluhery	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Holden
Hulse	Hultman	Jensen	Junkins
Kinley	Kudart	Miller, A.V.	Murray
Nystrom	Palmer	Ramsey	Readinger
Rodgers	Schwengels	Slater	Small
Vande Hoef	Waldstein	Wells	

Nays, 8:

Anderson	Carr	Doyle	Lura
Miller, C.P.	Priebe	Rush	Tieden

Absent or not voting, 7:

Baughner	Hester	Husak	Hutchins
Taylor	Van Gilst	Yenger	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 642

On motion of Senator Hester, House File 642, a bill for an act relating to boiler inspections, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3620 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3620 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 642) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Bisenius	Briles	Carney	Comito
Craft	DeKoster	Drake	Dreeszen
Gentleman	Goodwin	Gratias	Hester
Hulse	Hultman	Jensen	Kudart
Murray	Nystrom	Ramsey	Readinger
Schwengels	Tieden	Vande Hoef	Van Gilst
Waldstein			

Nays, 22:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Holden
Husak	Hutchins	Junkins	Kinley

Lura	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Rodgers	Rush	Slater
Small	Wells		

Absent or not voting, 3:

Baughner	Taylor	Yenger
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The bill not having received a constitutional majority was declared to have failed to pass the Senate.

UNFINISHED BUSINESS

House File 767

Senator Ramsey called up for consideration House File 767, a bill for an act relating to the satisfaction of debts owed to the holders of mechanic's liens, and providing that the lien of a subcontractor is not enforceable against an owner-occupied dwelling except to the extent of the amount owed to the principal contractor at the time the subcontractor serves a written notice of the claim on the owner, and providing that a subcontractor may be awarded exemplary damages from the principal contractor, placed on the calendar as unfinished business on April 22, 1981.

Senator Ramsey offered amendment S—3500 filed by the committee on Judiciary on April 15, 1981, to strike everything after the enacting clause and to the title page of the bill.

Senator Hultman offered amendment S—3569 filed by him on April 27, 1981, to amendment S—3500, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3569 to amendment S—3500 be adopted?" (H.F. 767) the vote was:

Ayes, 18:

Briles	Carney	Craft	Drake
Gentleman	Goodwin	Gratias	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Lura	Miller, C.P.	Nystrom
Rodgers	Waldstein		

Nays, 29:

Anderson	Bisenius	Brown	Carr
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Coleman	Comito	DeKoster	Deluhery
Doyle	Dreeszen	Gallagher	Hester
Holden	Kinley	Kudart	Miller, A.V.
Murray	Palmer	Priebe	Ramsey
Readinger	Rush	Schwengels	Slater
Small	Tieden	Vande Hoef	Van Gilst
Wells			

Absent or not voting, 3:

Baughner	Taylor	Yenger
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Amendment S—3569 lost.

Senator Ramsey offered amendment S—3528 filed by him on April 21, 1981, to amendment S—3500 and moved its adoption.

Amendment S—3528 was adopted by a voice vote.

Senator Ramsey offered amendment S—3539 filed by him on April 22, 1981, to amendment S—3500 and moved its adoption.

Amendment S—3539 was adopted by a voice vote.

Senator Ramsey moved the adoption of amendment S—3500 as amended.

A non record roll call was requested.

The ayes were 39, nays 5.

Amendment S—3500 as amended was adopted.

With the adoption of amendment S—3500 as amended, the Chair ruled amendment S—3529 filed by Senator Hultman on April 21, 1981, to page 1 and the title page of the bill, out of order.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 767) the vote was:

Ayes, 42:

Anderson	Bisenius	Briles	Brown
Carr	Coleman	Comito	Craft
DeKoster	Deluhery	Doyle	Drake

Dreeszen	Gallagher	Gentleman	Goodwin
Hester	Holden	Hulse	Husak
Hutchins	Junkins	Kinley	Kudart
Lura	Miller, A.V.	Murray	Nystrom
Palmer	Priebe	Ramsey	Readinger
Rodgers	Rush	Schwengels	Slater
Small	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 4:

Carney	Gratias	Hultman	Miller, C.P.
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Absent or not voting, 4:

Baughner	Jensen	Taylor	Yenger
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 767 passed the Senate on April 30, 1981.

JULIA GENTLEMAN

WITHDRAWN

Senator DeKoster asked and received unanimous consent that **Senate File 412** be withdrawn from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rush for the remainder of the day and for May 1 on request of Senator Junkins.

BILLS REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that the following bills on the Unfinished Business calendar be referred to committee:

S. F.	530	State Government
S. F.	271	County Government
S. F.	470	Education
S. F.	450	Natural Resources

MOTION TO RECONSIDER ADOPTED

Senator Small called up the motion to reconsider House File 786 filed by him on April 24, 1981, found on page 1446 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 786) the vote was:

Ayes, 32:

Anderson	Bisenius	Brown	Carney
Carr	Comito	Craft	DeKoster
Deluhery	Doyle	Gentleman	Goodwin
Gratias	Hultman	Hutchins	Junkins
Kinley	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Schwengels
Slater	Small	Waldstein	Wells

Nays, 13:

Briles	Coleman	Drake	Dreeszen
Gallagher	Hester	Hulse	Husak
Jensen	Kudart	Tieden	Vande Hoef
Van Gilst			

Absent or not voting, 5:

Baughner	Holden	Rush	Taylor
Yenger			

The motion prevailed.

Senator Small moved to reconsider the vote by which House File 786 went to its last reading, which motion prevailed by a voice vote.

House File 786

On motion of Senator Hester, House File 786, a bill for an act permitting the county board of supervisors to classify secondary roads on the area service system to provide for a reduced level of maintenance on some of these roads, was taken for reconsideration.

Senator DeKoster offered amendment S—3622 filed by Senators DeKoster and Small from the floor to page 1 of the bill.

Senator Hester asked and received unanimous consent that action on House File 786 and amendment S—3622 be deferred.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 26

By: Dreeszen, Priebe, Vande Hoef, Schwengels,
Drake, Tieden, Van Gilst, Gratias, Craft,
Hester, Coleman, Hutchins, Husak, Rodgers,
Junkins, Jensen, Waldstein, Goodwin and Taylor

- 1 *Whereas*, in the past decade reported rural crime
2 has risen 43 percent faster than the urban crime
3 rate; and
4 *Whereas*, crime in Iowa's small towns and rural areas
5 has risen 131 percent from 1970-1979; and
6 *Whereas*, there has been an increase in actual crimes
7 from 273,000 to 633,000 in the last decade; and
8 *Whereas*, sixty percent of the crimes are committed
9 by crime rings consisting of between 2 and 5 people;
10 and
11 *Whereas*, Iowa farms are attractive to criminals because
12 of their isolation, their expensive farm equipment, and
13 their easy accessibility to interstate roads; and
14 *Whereas*, the prediction is that 80 percent of farmers
15 will experience a theft in a three year period; and
16 *Whereas*, the cost of theft and farm fraud in both
17 direct and indirect costs to the people of the state
18 amounts to tens of millions of dollars; and
19 *Whereas*, the key to stopping farm and rural crime
20 is prevention: *Now Therefore*
21 *Be It Resolved by the Senate, the House Concurring,*
22 That the Legislative Council is requested to appoint
23 a joint subcommittee consisting of 10 members, 5 from
24 each house, to conduct a study during the 1981 interim
25 of the problem of rural crime; and
26 *Be It Further Resolved*, That the subcommittee shall
27 report its recommendations including legislative bill
28 drafts to implement the recommendations, to the Legis-
29 lative Council and the General Assembly meeting in
30 1982.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 558, by Committee on Ways and Means, a bill for an act to authorize the county treasurer to round to the nearest whole dollar the property tax bill for each property taxpayer.

Read first time and **placed on calendar**.

Senate File 559, by Committee on Ways and Means, a bill for an act deleting the population requirement for counties to levy a tax for the operation, maintenance, and management of a health center.

Read first time and **placed on calendar**.

APPENDIX**REPORT OF THE SECRETARY OF THE SENATE**

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate Amendment to House File 771, the following technical corrections were made:

1. Amendment S—3591, page 1, line 5, "Sec. 7" was changed to "Sec. 8".
2. Amendment S—3514, page 1, line 21, the word "complaint" was changed to "plaint".

LINDA HOWARTH MACKAY
Secretary of the Senate

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 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 April, 1981:

Senate Joint Resolution 10 and Senate Files 199, 235, 292, 358, 515, 529, 533 and 545.

LINDA HOWARTH MACKAY
Secretary of the Senate

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 30, 1981, when the vote was taken on amendment S—3615 to House File 782.

Had I been present, I would have voted "aye".

EMIL J. HUSAK

STUDY BILLS RECEIVED

S.S.B. 415 Ways and Means

Relating to the imposition of local option taxes by a city or county and providing for penalties.

S.S.B. 416 Appropriations

Relating to the publication of the federal census report.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 517 passed the Senate on April 29, 1981.

DICK RAMSEY

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—3545 to Senate File 517 on April 29, 1981.

DICK RAMSEY

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3616 to House amendment S—3545 to Senate File 517 was adopted by the Senate on April 29, 1981.

DICK RAMSEY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 323 passed the Senate on April 30, 1981.

RICHARD F. DRAKE

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—3586 to Senate File 526 on April 29, 1981.

ALVIN V. MILLER

MR. PRESIDENT: I move to reconsider the vote by which House File 642 failed to pass the Senate on April 30, 1981.

C. W. BILL HUTCHINS

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON CLAIMS**

Convened: April 29, 1981, 8:30 a.m.

Members Present: Murray, Chairperson; Small, Ranking Member and Briles.

Members Absent: Comito.

Other Committee Business: Considered payment of claims previously denied by State Appeals Board.

Adjourned: 9:10 a.m.

WAYS AND MEANS

Convened: April 30, 1981, 8:00 a.m.

Members Present: Craft, Chairperson; Readinger, Vice Chairperson; Rodgers, Ranking Member; Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer, Priebe, Rush and Van Gilst.

Members Absent: Ramsey and Taylor.

Final Bill Action: Senate File 558, a bill for an act to authorize the county treasurer to round to the nearest whole dollar the property tax bill for each property tax payer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Craft, Readinger, Rodgers, Hester, Holden, Husak, Junkins, Lura, Palmer, Priebe and Van Gilst. Nays, 1: Hultman. Absent or not voting, 3: Ramsey, Rush and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

ALSO:

Final Bill Action: Senate File 559, a bill for an act deleting the population requirement for counties to levy a tax for the operation, maintenance, and management of a health center.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Craft, Readinger, Rodgers, Hester, Holden, Hultman, Husak, Junkins, Lura, Palmer and Van Gilst. Nays, 1: Priebe. Absent or not voting, 3: Ramsey, Rush and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Other Committee Business: Approved SSB 415 as a committee bill; assigned bills to subcommittees.

Adjourned: 9:10 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred students from Maurice-Orange City Community Schools, Orange City, Iowa, accompanied by Mr. Paul Kotz. Senator DeKoster.

Forty-four students from Charter Oak-Ute High School, Charter Oak, Iowa, accompanied by Wally Welander. Senator Hester.

Twenty-four students from St. John Elementary School, Independence, Iowa, accompanied by Lucille McGrath. Senator Gallagher.

Fifty students from Granger Middle School, Granger, Iowa. Senator Rodgers.

Thirty-four students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Larry Crow and Bruce Willemsen. Senator Craft.

Twenty-seven students from Halbur-Templeton-Roselle Parochial School, Templeton, Iowa, accompanied by Lillian Scouten and Duane Sipker. Senator Hutchins.

AMENDMENTS FILED

S—3617	S. F.	547	Berl E. Priebe
S—3618	H.F.	782	Bob Rush
S—3619	S. F.	155	Berl E. Priebe Mick Lura
S—3620	H.F.	642	Edgar H. Holden
S—3621	S. F.	552	Arthur A. Small, Jr. Bass Van Gilst John N. Nystrom James E. Briles
S—3622	H.F.	786	Lucas J. DeKoster Arthur A. Small, Jr.
S—3623	S. F.	550	Calvin O. Hultman Lowell L. Junkins
S—3624	S. F.	470	Ted Anderson
S—3625	S. F.	552	Arthur L. Gratias

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 4:00 p.m., until 9:00 a.m., Friday, May 1, 1981.