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ROBERT T. ANDERSON, President of the Senate

DONALD D. AVENSON, Speaker of the House

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SEVENTIETH GENERAL ASSEMBLY

1984 Regular Session

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OFFICERS OF THE SENATE—1984 REGULAR SESSION—Continued iii

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

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ELECTIVE STATE OFFICERS

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MARY JANE ODELL, <i>Secretary of State</i>	Des Moines
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HARVEY UHLENHOPP, <i>Justice</i>	Hampton
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MEMBERS OF THE SENATE SEVENTIETH GENERAL ASSEMBLY 1984 REGULAR SESSION

TED ANDERSON

Address Waterloo
Age 40
Occupation Factory Worker
Senatorial District 12—Black Hawk
Former Legislative Service 69, 69X, 69XX, 70 (1st)

JAMES E. BRILES

Address Corning
Age 57
Occupation Auctioneer, Real Estate
Senatorial District 46—Adams, Adair, Cass, Clark, Decatur, Ringgold, Taylor, Union
Former Legislative Service ... 56, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

JOE BROWN

Address Montezuma
Age 32
Occupation Public Sector Analyst
Senatorial District 27—Poweshiek, Iowa, Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

CHARLES BRUNER

Address Ames
Age 35
Occupation Legislator
Senatorial District 37—Story
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

BOB CARR

Address Dubuque
Age 45
Occupation Securities Broker
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

C. JOSEPH COLEMAN

Address Clare
Age 60
Occupation Farmer, Businessman
Senatorial District 7—Webster, Humboldt
Former Legislative Service 57, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67X, 68, 69, 69X, 69XX, 70 (1st)

MILO COLTON

Address Sioux City
Age 40
Occupation Educator
Senatorial District 1—Woodbury
Former Legislative Service 70 (1st)

MEMBERS OF THE SENATE—70TH GENERAL ASSEMBLY 1984 REGULAR SESSION—Continued

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PATRICK J. DELUHERY

Address Davenport
Age 41
Occupation College Teacher
Senatorial District 21—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

WM. W. (BILL) DIELEMAN

Address Pella
Age 52
Occupation Life Insurance Underwriter
Senatorial District 35—Marion, Jasper, Polk, Warren
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

DONALD V. DOYLE

Address Sioux City
Age 58
Occupation Lawyer
Senatorial District 2—Woodbury, Ida, Monona
Former Legislative Service 57, 58, 61, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

RICHARD F. DRAKE

Address Muscatine
Age 56
Occupation General Farming
Senatorial District 28—Muscatine, Des Moines, Louisa, Washington
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

JAMES V. GALLAGHER

Address Jesup
Age 50
Occupation Telephone Company
Senatorial District 14—Black Hawk, Buchanan, Chickasaw, Fayette
Former Legislative Service 61, 62, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

JULIA B. GENTLEMAN

Address Des Moines
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Senatorial District 41—Polk
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

DONALD E. GETTINGS

Address Ottumwa
Age 60
Occupation Retired—Deere & Co.
Senatorial District 33—Wapello, Appanoose, Davis
Former Legislative Service 67 (2nd)*, 67X, 68, 69, 69X, 69XX, 70 (1st)

*2nd Denotes 1978 Regular Session

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NORMAN J. GOODWIN

Address DeWitt
Age 70
Occupation Retired County Extension Director
Senatorial District 19—Clinton, Cedar, Scott
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

ARTHUR L. GRATIAS

Address Nora Springs
Age 63
Occupation Farmer, Educator
Senatorial District 15—Floyd, Cerro Gordo, Chickasaw, Howard, Mitchell
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

HURLEY W. HALL

Address Marion
Age 48
Occupation Telephone Engineer
Senatorial District 24—Linn, Buchanan, Delaware
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

JACK W. HESTER

Address Honey Creek
Age 54
Occupation Farmer
Senatorial District 49—Pottawattamie, Cass, Harrison, Shelby
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

EDGAR H. HOLDEN

Address Davenport
Age 69
Occupation Entrepreneur
Senatorial District 20—Scott
Former Legislative Service 62, 63, 64, 65, 67 (2nd)*, 68, 69, 69X, 69XX, 70 (1st)

LEE W. HOLT

Address Spencer
Age 74
Occupation Automobile Dealer
Senatorial District 6—Clay, Dickinson, Emmett, Palo Alto
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

WALLY E. HORN

Address Cedar Rapids
Age 50
Occupation Teacher
Senatorial District 25—Linn
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

* (2nd) Denotes 1978 Regular Session

**MEMBERS OF THE SENATE—70TH GENERAL ASSEMBLY
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MERLIN D. HULSE

Address Clarence
Age 60
Occupation Farmer
Senatorial District 22—Cedar, Jones, Linn
Former Legislative Service 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

CALVIN O. HULTMAN

Address Red Oak
Age 42
Occupation Businessman
Senatorial District 47—Montgomery, Fremont, Mills, Page, Pottawattamie
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

EMIL J. HUSAK

Address Toledo
Age 63
Occupation Farmer
Senatorial District 38—Tama, Benton, Black Hawk, Marshall
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

C.W. BILL HUTCHINS

Address Guthrie Center
Age 62
Occupation Businessman
Senatorial District 48—Audubon, Carroll, Crawford, Shelby
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

JOHN W. JENSEN

Address Plainfield
Age 57
Occupation Farmer
Senatorial District 11—Bremer, Black Hawk, Butler, Grundy
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

LOWELL L. JUNKINS

Address Montrose
Age 39
Occupation Small Businessman/Farmer
Senatorial District 31—Lee, Des Moines, Van Buren
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

GEORGE R. KINLEY

Address Des Moines
Age 46
Occupation Owner-Driving Range and Golf Sales
Senatorial District 40—Polk
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

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THOMAS A. LIND

Address Cedar Rapids
Age 65
Occupation Businessman
Senatorial District Black Hawk
Former Legislature Service 67 (2nd)*, 68, 69, 69X, 69XX, 70 (1st)

TOM MANN, JR.

Address Des Moines
Age 34
Occupation Attorney
Senatorial District 43—Polk
Former Legislative Service 70 (1st)

ALVIN V. MILLER

Address Ventura
Age 62
Occupation Insurance Agency-Retail Merchant
Senatorial District 10—Cerro Gordo, Winnebago, Worth
Former Legislature Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

CHARLES P. MILLER

Address Burlington
Age 65
Occupation Doctor of Chiropractic
Senatorial District 30—Des Moines, Henry
Former Legislature Service 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

JOHN N. NYSTROM

Address Boone
Age 50
Senatorial District 44—Boone, Carroll, Greene, Story
Former Legislature Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

WILLIAM D. PALMER

Address Des Moines
Age 48
Occupation Insurance Executive
Senatorial District 39—Polk
Former Legislature Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

BERL E. PRIEBE

Address Algona
Age 65
Occupation Farmer, Businessman
Senatorial District 8—Kossuth, Hancock, Humboldt, Palo Alto, Pocahontas, Winnebago
Former Legislature Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

* (2nd) Denotes 1978 Regular Session

**MEMBERS OF THE SENATE—70TH GENERAL ASSEMBLY
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DAVID M. READINGER

Address Des Moines
Age 47
Occupation Sales
Senatorial District 42—Polk
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

JACK RIFE

Address Moscow
Age 40
Occupation Farmer
Senatorial District 29—Muscatine, Scott
Former Legislative Service 70 (1st)

DOUGLAS RITSEMA

Address Orange City
Age 31
Occupation Lawyer
Senatorial District 8—Sioux, Plymouth, Woodbury
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

NORMAN RODGERS

Address Adel
Age 56
Occupation Farmer
Senatorial District 45—Dallas, Adair, Guthrie, Madison
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

PORREST V. SCHWENGELS

Address Fairfield
Age 68
Occupation Real Estate Salesman
Senatorial District 32—Jefferson, Keokuk, Mahaska, Wapello
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

TOM SLATER

Address Council Bluffs
Age 38
Occupation Media Consultant
Senatorial District 50—Pottawattamie
Former Legislative Service 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

ARTHUR A. SMALL, JR.

Address Iowa City
Age 50
Occupation Attorney
Senatorial District 23—Johnson
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69XX, 70 (1st)

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1984 REGULAR SESSION—Continued

JOHN SOORHOLTZ

Address Melbourne
Age 54
Occupation Farmer/Pork Producer
Senatorial District 36—Marshall, Jasper
Former Legislative Service None

RAY TAYLOR

Address Steamboat Rock
Age 60
Occupation Farmer, Business
Senatorial District 9—Hardin, Franklin, Hamilton, Hancock, Wright
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

DALE L. TIEDEN

Address Elkader
Age 61
Occupation Farmer
Senatorial District 16—Clayton, Allamakee, Winnebago
Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

RICHARD VANDE HOEF

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Age 58
Occupation Farmer
Senatorial District 4—Osceola, Cherokee, Clay, Lyon, O'Brien, Sioux
Former Legislative Service 69, 69X, 69XX, 70 (1st)

BASS VAN GILST

Address Oskaloosa
Age 72
Occupation Farmer
Senatorial District 34—Warren, Clarke, Lucas, Monroe, Wayne
Former Legislative Service 61, 62, 63, 64, 65, 66, 67X, 68, 69, 69X, 69XX, 70 (1st)

ARNE WALDSTEIN

Address Storm Lake
Age 58
Occupation Professional Farm Management and Rural Appraiser
Senatorial District 5—Buena Vista, Calhoun, Pocahontas, Sac, Webster
Former Legislative Service 68, 69, 69X, 69XX, 70 (1st)

JAMES D. WELLS

Address Cedar Rapids
Age 55
Occupation Cereal Company Employee
Senatorial District 26—Linn
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70 (1st)

**MEMBERS OF THE SENATE—70TH GENERAL ASSEMBLY
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JOE J. WELSH

Address	Dubuque
Age	28
Occupation	Legislator
Senatorial District	17—Dubuque, Jackson, Jones
Former Legislative Service	68, 69, 69X, 69XX, 70 (1st)

JOURNAL OF THE SENATE

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FIRST CALENDAR DAY FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 9, 1984.

Pursuant to chapter two (2), section two point one (2.1), Code of Iowa, the 1984 Regular Session of the Seventieth General Assembly convened at 10:05 a.m., and the Senate was called to order by Lieutenant Governor Robert T. Anderson.

Prayer was offered by Dr. Jerry Richards, President of Iowa Wesleyan College, Mount Pleasant, Iowa.

OPENING REMARKS BY THE LIEUTENANT GOVERNOR

Lieutenant Governor Anderson addressed the Senate as follows:

Members of the Senate. I know you join me in welcoming our returning employees and professional staff and especially those pages and employees who are eagerly awaiting their first session. I particularly want to introduce Allen Welsh, who was chosen to be the new parliamentarian. He will help us continue the fairness and goal of consistency we had with Terry Tobin.

We also welcome John Soorholtz from Marshall County. The outstanding quality of both candidates in that contest and the spirited campaigns they put forth is testimony to the respect they have for the Iowa Senate.

That respect was earned last session when the legislature faced up to the immediate problems with Iowa's budget and responded through cooperation and negotiation to the ideas expressed in the last election. You responded early to Governor Branstad's request to increase the sales tax and passed a budget that was remarkably close to the bottom line agreed upon. You worked hard to reduce the growing budget crisis in the unemployment trust fund and legislation affecting utility reform and health care cost containment attracted national attention.

Most significantly, the establishment of a new Department of Corrections, a new job training program and new emphasis on small and medium sized business came from the legislature and not the executive branch. We did not just respond—we also created new opportunities for Iowans.

During this centennial year, the challenge is even greater. You are faced with the fourth budget crisis in a row and the comptroller has run out of mirrors. Balancing the 1984 budget must be the first priority and Governor Branstad's 1985 budget must be altered so it can be balanced and still meet the needs of Iowans. We should work hard to achieve cost saving measures, particularly increasing the

administrative-staff ratio that was first proposed by Roxanne Conlin and later supported by the efficiency committee. We know that great contradictions remain. Unemployment statistics improve while there are 7,000 fewer Iowans at work. Business is improving in some areas while numbers at food pantries and soup kitchens are still increasing. Grain farmers in parts of Iowa are having a good year while in other regions, they, and many livestock producers, face bankruptcy. Fundamental changes are affecting Iowa's economy and an election year threatens to put some proposals in a holding pattern. I believe we are challenged to prove that last year's cooperation was not born out of political expediency, but was real.

Iowans are ready to improve educational opportunity for their children, to make a commitment to soil conservation and to reduce the risk of drunk drivers. Most importantly they are ready to help develop a plan to create new businesses and new jobs for Iowans. The new meat research lab should be funded.

It is time for political leaders to admit that we can not solve the problems of Iowa's economy by ourselves. We must elevate them above the partisan arena, and we must be joined by a true partnership of leaders in business, labor, agriculture and education.

Other states began long ago. We can model the process used in Massachusetts or Montana or Indiana, but the results will be uniquely Iowan. We must identify the underlying strengths and weaknesses of our economy and chart specific paths to increased jobs and opportunities.

Such an analysis should be done publicly and not behind the closed doors of the Iowa Development Commission. It would take more than a year to complete and would complement efforts already begun by the tax and education studies.

Iowa's success comes from our strengths. I believe we can be known as the agricultural center of the world. Des Moines businessman, John Ruan, is to be complimented for focusing on one aspect of economic development, foreign trade. His proposal and others to increase trade should be examined carefully and independently. The Trade Center and other major proposals should stand on their own merit and not on whether they assist in passing a lottery.

Twenty-two thousand Iowans invested more than ten million dollars to see the Hawkeyes play in the Gator Bowl. If the choices are clear, I'm convinced, Iowans will invest in their future. Our state is blessed with natural, human and financial resources. All that is necessary is the will to begin.

I believe an economic analysis and strategic planning can be funded with both public and private dollars, and I ask the governor and the legislature to help make it happen.

REMARKS BY THE MAJORITY LEADER

Senator Junkins addressed the Senate as follows:

MR. PRESIDENT, SENATORS, LADIES AND GENTLEMAN:

Today, as we begin the second session of the Seventieth General Assembly, we should all reflect first on what we have done in the past. Whether our actions be wise or ignorant, WE are responsible for them. The greatest tool we have is history—history that allows us to learn and improve in the future. Today as we begin a new chapter in the history of our state, I am hopeful that we will all learn from our past, and make a record future generations will reflect positively upon, as I believe we began to do last session.

The state of Iowa continues today in a struggle against tight economic conditions, even after this legislature last session approved several important economic improvement measures. We legislators, in a spirit of cooperation with Governor Branstad, provided him in 1983 with the tools to lessen the impact of these hard economic times on the people of this state. The governor chose to use some of these tools; however, he also chose to ignore others, to the detriment of the state, I believe. It is my belief that the governor's action in vetoing parts of the most sweeping jobs program ever approved by any Iowa legislature, last year, was not in the best interest of our state, nor an effort at legislative cooperation. It is my hope that the governor will be more open-minded in 1984 to proposals designed by we legislators that try to tackle our economic problems.

With or without the governor's cooperation, however, it is our responsibility to try to stabilize the Iowa economy. While we know there are national and regional economic problems that are beyond our reach, we just try as best we can to improve our situation. I believe the current situation compels us to carefully examine every option available to us to help bring about an improved Iowa economy—now and in the future. These efforts to provide jobs and stimulate economic development in Iowa must continue to be a number 1 goal this session as last session. The reason for this emphasis is clear, I think. Despite the governor's campaign pledge to provide 180,000 new jobs in Iowa, less Iowans—thousands less—are at work in this state today than one year ago. Many people whose unemployment benefits run out simply give up and drop out of the workforce—others leave Iowa entirely. The result, of course, is a state economy and a state budget continually plagued by "recession", and a loss of the kind of economic growth we need to build for the future. Thus, this legislature must try again, despite any potential veto threats, to do what we think best to aid in bringing prosperity to Iowa.

There is, as you know, other work to be done this session. While we may not all agree on the specifics in each area, I think we can agree that our efforts to resolve problems and challenges in these areas will be made with the best interest of Iowans at heart. And, if we can build on the record of accomplishments from last session by tackling these areas we will indeed have made a record worthy of historical note. I believe this year we should:

Devise and approve another balanced state budget, providing necessary services, cutting any frills where possible;

Consider measures to improve education quality—and maintain our position of national leadership in education;

Make necessary updates in tax and pension law—not necessarily drastic ones, but those necessary to keep us up-to-date and as fair as possible to all;

Promote agricultural and natural resources protection—these are Iowa's historical backbone, and we must constantly be mindful of contemporary pressures on the natural resources and agricultural producers of the state;

Approve necessary legislation protecting Iowan's rights and safety—specifically we should consider child protection measures and the concept of hazardous substances "right to know", in addition to criminal sentencing law;

Provide necessary human services—this year we must seriously examine the issues of health care delivery for the medically needy and substance abusers;

Update worker's rights laws—having last year faced the unemployment fund bankruptcy, we should now turn our attention to statutory barriers to workers rights in Iowa, such as the choice of doctor for injured workers;

Make necessary government reforms—the D.C. amendment, campaign finance and election law reforms, and the constitutional amendment pairing the governor and lieutenant governor as a team are ideas I think Iowans are ready for us to seriously consider.

I know the items I have just mentioned make for a heavy workload, but I think Iowans expect us to tackle our state's problems on all fronts this year as last. And, I know that we have the capability to do so. At this time last year, no one would have believed we could have accomplished all we did in the 1983 session: necessary tax increases, approving the budget, providing a new capitals program for the Regents, an omnibus jobs bill, a sweeping utility reform bill, health cost containment legislation, a comparable worth study, educational excellence study, a state tax study, an increased school aid bill, the unemployment trust fund "rescue", parimutuel, and on and on . . . but we did accomplish all that and more. I know that with our hard work this year, and the assistance of our capable and hardworking staff, we can again make historic progress on meeting Iowans needs. I know this progress is what Iowans want, and each of us in our own way desire to achieve.

Let me conclude my remarks by reminding you that 1984 is the year made infamous by George Orwell in this famous book by that name. In 1948, Mr. Orwell was not able to foresee the future, but he was able to warn the nations of the world of the perils of bad government. Fortunately for us, despite our problems, things are not as he envisioned yet, and we still have the power, together, to work constructively for the good of our state. I look forward to working with you all this year in our effort to write the HISTORY of 1984 in a way that will make us all proud.

Thank you.

REMARKS BY THE MINORITY LEADER

Senator Hultman addressed the Senate as follows:

This session can be the shortest or longest session in history. It can be one of which we will be very proud or one we will wish we had not been part of.

It will be the longest if the majority party does not have a sense of direction with the governor and unless we work to that goal. If there is nothing more than political one-upsmanship and hip shooting, we will be here forever. This means that today in the opening session, the minority party must know your intentions on the budget, both this fiscal year and next and what major issues you intend to take up. Are you going to do something in education like teacher competency or are you looking at federal deductibility again. We need to know that your intentions are on the major issues.

If you let us know your budget plans in advance, we can share our differences with you and also the governor to expedite the session. We can then serve the people we represent in a better manner. We would hope that we do not see another legislative escapade as we saw on the unemployment compensation bill last year when we did not have twenty-four hours to prepare the bill. That has not served the people of Iowa well.

In closing, we will cooperate to the extent that you let us know what you are going to do.

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.

ANNOUNCEMENT OF RESIGNATION

President Anderson announced that he had received notification from the office of Governor Branstad of the resignation of the following senator:

District 36—Mick Lura, resignation effective June 30, 1983.

COMMITTEE ON CREDENTIALS

Senator Junkins moved that the Credentials Committee for the Seventieth General Assembly examine and report on the election in the Thirty-sixth Senatorial District.

The motion prevailed by a voice vote.

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

The Senate resumed session, President Anderson presiding.

SUPPLEMENTAL REPORT OF
THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the person named in the attached copy of the certification of the Secretary of the State duly elected to and entitled to a seat in the Senate of the 1984 Session of the Seventieth General Assembly:

DONALD V. DOYLE, Chair
EDGAR H. HOLDEN
MERLIN D. HULSE
EMIL J. HUSAK
NORMAN RODGERS

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, MARY JANE ODELL, Secretary of the State of Iowa; custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a special election held on November 8, 1983, John Soorholtz was elected to fill a vacancy in the office of the State Senator for the Thirty-Sixth District, for the balance of the four-year term which began on January 2, 1981.

(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 14th day of January, 1983.

MARY JANE ODELL, Secretary of State

Senator Doyle moved that adoption of the Supplemental Report of the committee on Credentials.

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

Senator Soorholtz was escorted to the bar of the Senate by Senators Hultman and Miller of Des Moines, was duly sworn and subscribed his name to the oath of office.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Junkins 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 Van Gilst, Chair; Hulse and Slater.

COMMITTEE TO NOTIFY THE HOUSE

Senator Junkins 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 Rodgers, Chair; Jensen and Wells.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

Senator Junkins asked and received unanimous consent to take up for consideration the following Supplemental Report of the committee on Rules and Administration:

MR. PRESIDENT: Your committee on rules and administration begs leave to submit a supplemental report for the permanent officers, employees and secretaries to Senators for the 1984 Session of the Seventieth General Assembly:

Parliamentarian..... Allen Welsh

Administrative

Secretary to the Secretary Jean Cook

Assistant Finance Officer/

Assistant to the Legal Counsel Amy Erickson

Majority Caucus

Research Analyst..... Mary Gannon

Minority Caucus

Administrative Assistant to Minority Leader Judy Bertelsen

Research Analyst..... Barbara Deitrich

Research Analyst..... Jenny Netcott

Research Analyst Carol D. Olson
 Research Analyst Scott M. Teasdale
 Secretary to Caucus Nancy Henter

Sergeant-at-arms

Doorkeeper Robert Doyle

Services

Bill Clerk Dale Derscheid
 Assistant Bill Clerk Darrin Hamilton
 Switchboard Operator Fredda Wright

Secretaries

Secretary Lisa Binneboese
 Secretary Rose Clay
 Secretary Joan Grant
 Secretary Barbara Harrison
 Secretary Paula Virtue
 Secretary Kathryn Walden
 Secretary Mary Ann Waters
 Secretary Margaret Wimmer

LOWELL L. JUNKINS, Chair

Senator Junkins moved the adoption of the report and the persons placed in nomination by the committee on Rules and Administration as permanent officers and employees.

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

APPOINTMENT OF SENATE PAGES

Senator Junkins asked and received unanimous consent to take up for consideration the appointment of Pages.

Senator Junkins submitted the following report of the committee on Rules and Administration:

MR. PRESIDENT: Your committee on rules and administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1984 Session of the Seventieth General Assembly:

Jill Ainslie, Dayton
Candi Cline, Mason City
Joan Denton, West Des Moines
M. Blair Dunn, Bettendorf
Cynthia Ellison, Marshalltown
John Gurney, Reinbeck
Elizabeth Kinley, Des Moines
Bivan Kischer, Waterloo
Mark Kladivo, Traer
Pam Meier, Cedar Rapids
Timothy Oswald, Des Moines
Julie Parsons, Keosauqua
Kelly Sondag, Marion
Sarah Clark, Cherokee, Lieutenant Governor's Page
Kimberly Didier, Denison, Parliamentarian/Secretary's Page

LOWELL L. JUNKINS, Chair

Senator Junkins moved the adoption of the report and the appointment of the Senate Pages listed in the report of 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 and were duly sworn to their oaths of office.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Rodgers 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.

COMMITTEE ON MILEAGE

Senator Junkins moved that the committee on Mileage for the Seventieth General Assembly report to the Senate a supplemental report with any mileage changes and the mileage to be allowed for Senator Soorholtz.

The motion prevailed by a voice vote.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Junkins 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, Tom Witosky
- 52 The Associated Press, Roger Munns
- 53 WOI-TV, Marcia K. Cady
- 54 WHO-TV, Brooks Humphreys
- 55 United Press International, Michael Maine
- 56 Iowa Legislative News Service, Jo VonStein
- 57 KRNT Radio, Julie Rutz
- 58 The Cedar Rapids Gazette, Ken Sullivan
- 59 Quad-City Times, Michael C. Owen
- 60 Iowa Newspaper Association, Harrison Weber
- 61 KWWL-TV, Linda Knowles
- 62 Waterloo Courier, Bob Case
- 63 Dubuque Telegraph Herald, Roxie Hammill
- 64 KCCI-TV, Anne Hawkins

GENERAL ASSIGNMENT

AFSCME Pride News: Larry Scarpino
Associated Press, Mike Glover, Tom Seery, Mark Mittelstadt
Cedar Rapids Gazette, Judy Daubenmier
Dahlman Creative Media, Steven Dahlman
Des Moines Register, Dewey Knudson, David Yepsen, James Healey, Ken Fuson, David Elbert
Drake University/Iowa Broadcast News Assn., David Mossner
Iowa Broadcast System, Bob Singer
Iowa Legislative News Service, Alice Hickman, Susan Barbieri
Iowa Newspaper Association, Bill Monroe
Iowa Public Television, Daniel Miller, Sara Frasher, Nancy Crowfoot, Linda Wright, Carl Zahari, Sid Sprecher, Donna Nicholson, Jan Snedden
Iowa Radio Network, Elizabeth Walter
KCCI-TV, Photographers: Donna Smith, Michele Burgad, Craig Parsons, Dave Warner, John Houghton, Glenn McLain
KRNT Radio, Pam Dixon, Marie Dilg, Roger Summit, Dan McPherson
KWWL-TV, Ron Boster
United Press International, John Peterson
WHO Radio, Bill Brewer, Cornell Fowler, Lore McManus, Dave Hansen
WHO-TV, Mike Borland, Matt Hoffmann, Rod Wermager, Cortney Kintzer, John Windschitl, Steve Carns, Mike Day, Todd Jones, Jerry Jay Hymen, Mike Cummings

WOI Radio, Allison Hadley

WOI-TV, Blake Bruner, Jon Merritt, Race Morganorh, JoAnn Merrigan, Carol Scherf

SELECTION OF SEATS

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

Senator Junkins moved that the holdover and reelected senators be granted the privilege of retaining the seats occupied by them during the Seventieth 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 parliamentarian. In addition, the majority floor leader and the minority floor leader be permitted to select their seats.

The motion prevailed by a voice vote.

The Parliamentarian called the roll and seat selections were made as follows:

NAME	SEAT NO.
Anderson of Black Hawk	25
Briles of Adams	34
Brown of Poweshiek	20
Bruner of Story	9
Carr of Dubuque	21
Coleman of Webster	13
Colton of Woodbury	3
DeLuhery of Scott	23
Dieleman of Marion	5
Doyle of Woodbury	15
Drake of Muscatine	40
Gallagher of Black Hawk	33
Gentleman of Polk	30
Gettings of Wapello	4
Goodwin of Clinton	26
Gratias of Floyd	24
Hall of Linn	11

Hester of Pottawattamie	6
Holden of Scott	22
Holt of Clay	10
Horn of Linn	17
Hulse of Cedar	28
Hultman of Montgomery	46
Husak of Tama	7
Hutchins of Audubon	47
Jensen of Bremer	16
Junkins of Lee	49
Kinley of Polk	43
Lind of Black Hawk	2
Mann of Polk	31
Miller of Cerro Gordo	39
Miller of Des Moines	45
Nystrom of Boone	38
Palmer of Polk	41
Priebe of Kossuth	37
Readinger of Polk	44
Rife of Muscatine	8
Ritsema of Sioux	12
Rodgers of Dallas	29
Schwengels of Jefferson	42
Slater of Pottawattamie	19
Small of Johnson	27
Soorholtz of Marshall	18
Taylor of Hardin	50
Tieden of Clayton	48
Vande Hoef of Osceola	14
Van Gilst of Mahaska	36
Waldstein of Buena Vista	32
Wells of Linn	35
Welsh of Dubuque	1

BILLS ASSIGNED TO COMMITTEE

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

H.C.R.	32	State Government
H.C.R.	38	Education
H.F.	74	Judiciary

APPOINTMENT OF SECOND CONFERENCE COMMITTEE

President Anderson announced the following second conference committee on House File 359 on the part of the Senate: Senators Hutchins, Chair; Miller of Cerro Gordo, Colton, Waldstein and Vande Hoef.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Van Gilst 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.

INTRODUCTION OF BILLS

Senate File 2001, by Slater, a bill for an act relating to the establishment of sanitary and improvement districts to provide public improvements and services, authorizing the issuance of general obligation bonds and special assessment bonds, the imposition of service charges and fees, the levy of property taxes, and the exercise of eminent domain for public purposes, and providing for the annexation or dissolution of districts.

Read first time and passed on file.

Senate File 2002, by Taylor, a bill for an act relating to ownership rights to dies, molds, and forms.

Read first time and passed on file.

Senate File 2003, by Bruner, a bill for an act relating to the delivery of voter registration cards to the commissioner of registration.

Read first time and passed on file.

Senate File 2004, by Jensen, a bill for an act relating to the theft and possession of veterans' grave markers and flag holders and providing a penalty.

Read first time and passed on file.

Senate File 2005, by Mann, a bill for an act relating to the taxing of costs in an action to enforce the terms of a dissolution, annulment, or separate maintenance decree.

Read first time and passed on file.

Senate File 2006, by Husak, a bill for an act to provide for the establishment and operation of a hazardous waste management facility by the department of water, air and waste management.

Read first time and passed on file.

Senate File 2007, by Priebe, a bill for an act authorizing the board of supervisors to waive the payment of penalty and interest on delinquent property taxes for reasons of severe economic conditions.

Read first time and passed on file.

Senate File 2008, by Priebe, a bill for an act creating a duty to assist persons who are subjected to substantial risk of or suffer serious injury during the commission of or attempt to commit a crime, and imposing a penalty.

Read first time and passed on file.

Senate File 2009, by Mann, a bill for an act relating to charges for jail incarceration.

Read first time and passed on file.

Senate File 2010, by Gentleman, a bill for an act relating to the removal of a child from the state by a custodial parent and providing a penalty.

Read first time and passed on file.

Senate File 2011, by Priebe, a bill for an act relating to the appointment of interpreters for certain hearing impaired persons.

Read first time and passed on file.

Senate File 2012, by Mann, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business in or with the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties.

Read first time and passed on file.

Senate File 2013, by Junkins, a bill for an act to require that individual and group policies of accident and health insurance provide coverage for the treatment of alcoholism, chemical

dependency, and substance abuse on substantially the same basis as other health care coverages, with certain limitations, and to make penalties applicable.

Read first time and passed on file.

Senate File 2014, by Bruner, a bill for an act to establish limits to the amount of money a candidate's committee can accept from a political committee.

Read first time and passed on file.

Senate File 2015, by Horn, a bill for an act relating to information in published notices of contracts awarded by public agencies.

Read first time and passed on file.

Senate File 2016, by Hutchins, a bill for an act to designate December 7 as Pearl Harbor Remembrance Day.

Read first time and passed on file.

Senate File 2017, by Bruner, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements.

Read first time and passed on file.

Senate File 2018, by Deluhery, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility.

Read first time and passed on file.

Senate File 2019, by Waldstein, a bill for an act relating to the minimum cover required on the installation of pipelines.

Read first time and passed on file.

Senate File 2020, by Anderson, a bill for an act creating an Iowa council on parks and recreation and specifying duties and powers.

Read first time and passed on file.

Senate File 2021, by Ritsema, a bill for an act relating to the tolling of a statute of limitations when restitution is ordered.

Read first time and passed on file.

Senate File 2022, by Slater, a bill for an act relating to the name of the football stadium at Iowa state university of science and technology.

Read first time and passed on file.

Senate File 2023, by Mann, a bill for an act relating to the time limitation on the commencement of an action for unfair or discriminatory practices.

Read first time and passed on file.

Senate File 2024, by Holden, a bill for an act to prohibit sales of liquor, wine, or beer which is refrigerated or otherwise chilled for consumption off the premises.

Read first time and passed on file.

Senate File 2025, by Slater, a bill for an act to establish the birthday of Dr. Martin Luther King, Jr. as a legal paid holiday beginning in 1986.

Read first time and passed on file.

Senate File 2026, by Holden, a bill for an act to provide that the sale, gift or supplying of an alcoholic beverage to a person under legal age is punishable as a simple misdemeanor, and to subject a state liquor store to temporary closure upon a conviction.

Read first time and passed on file.

Senate File 2027, by Waldstein, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls.

Read first time and passed on file.

Senate File 2028, by Ritsema, a bill for an act to discontinue commercial television broadcasting at the Iowa state university of science and technology.

Read first time and passed on file.

Senate File 2029, by Horn, a bill for an act to allow a motor vehicle owner to purchase a registration plate or pair of plates with or without a logo or motto printed on the face of the registration plate if the state transportation commission determines that a logo or motto shall be imprinted on the face of a registration plate.

Read first time and passed on file.

Senate File 2030, by Briles, a bill for an act relating to the availability of state soil conservation cost-sharing funds for farm units not having conservation agreements in effect.

Read first time and passed on file.

Senate File 2031, by Miller of Des Moines, a bill for an act requiring cost accounting and demonstration of costs before a city or county may purchase equipment to engage in a project which can be performed by private enterprise.

Read first time and passed on file.

Senate File 2032, by Lind, a bill for an act requiring an adult employed by the district to ride on school buses for supervision purposes.

Read first time and passed on file.

Senate File 2033, by Bruner, Anderson, Miller of Des Moines, Gallagher and Slater, a bill for an act relating to the collection and dissemination of information regarding hazardous substances and providing penalties and authorizing the department of water, air and waste management to adopt hazardous waste rules more restrictive than, but consistent with, federal requirements.

Read first time and passed on file.

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

The Senate resumed session, President Anderson presiding.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:15 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:10 p.m., President Anderson 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 January 9, 1984, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION 101

By: Norland and Stromer

- 1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
- 2 SENATE CONCURRING, That a joint convention of the two
- 3 houses of the 1984 session of the Seventieth General
- 4 Assembly be held on Tuesday, January 10, 1984, at
- 5 10:00 a.m.; and
- 6 BE IT FURTHER RESOLVED, That Governor Terry E. Branstad
- 7 be invited to deliver his combined condition of the state
- 8 and budget messages at this joint convention of the two
- 9 houses of the General Assembly, and that the Speaker of
- 10 the House of Representatives and the President of the
- 11 Senate be designated to deliver the invitation to him.

This resolution was read first time and **passed on file.**

HOUSE CONCURRENT RESOLUTION 102

By: Norland and Stromer

- 1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
- 2 SENATE CONCURRING, That a joint convention of the two
- 3 houses of the 1984 session of the Seventieth General
- 4 Assembly be held on Tuesday, January 17, 1984, at
- 5 9:30 a.m. for the purpose of observing the centennial
- 6 of the dedication of the present Iowa capitol building
- 7 and of the Iowa legislature meeting therein.

This resolution was read first time and **passed on file.**

HOUSE CONCURRENT RESOLUTION 103

By: Norland and Stromer

- 1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
2 SENATE CONCURRING, That a joint convention of the two
3 houses of the 1984 session of the Seventieth General
4 Assembly be held on Thursday, January 19, 1984, at
5 10:00 a.m.; and
6 BE IT FURTHER RESOLVED, That Chief Justice of the
7 Supreme Court W. Ward Reynoldson be invited to present
8 his message of the condition of the judicial department
9 at this joint convention, and recommend such matters as
10 the Chief Justice deems expedient, pursuant to section
11 684.22 of the Code.

This resolution was read first time and passed on file.

ADOPTION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 101.

Senator Hultman moved the adoption of House Concurrent Resolution 101, which motion prevailed by a voice vote.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 101, by Committee on Rules and Administration, a resolution relating to the rules of the senate.

Read first time and placed on calendar.

Senate Concurrent Resolution 101, by Committee on Rules and Administration, a resolution relating to the joint rules.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 2034, by Doyle, a bill for an act to require a motor vehicle towing an implement of husbandry to be equipped with rear view mirrors on either side of the towing vehicle.

Read first time and passed on file.

Senate File 2035, by Doyle, a bill for an act relating to the requirement that the court personally address a defendant when a plea of guilty to a serious misdemeanor is entered by, or on behalf of, a defendant.

Read first time and passed on file.

APPENDIX

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanley Haugland, M.D., Des Moines, Iowa.

REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: You committee appointed to determine the mileage for the members of the Senate submits the following report:

NAME	ROUND TRIP MILES
Scorholtz, John E.	72
Waldstein, Arne	320

Respectfully submitted,

JAMES D. WELLS, Chair
ARTHUR L. GRATIAS
JACK W. HESTER
JOE J. WELSH

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: January 9, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh.

Members Absent: Small.

Final Bill Action: SENATE FILE 451 (SSB 178), a bill for an act relating to enforcement of license discipline by the board of medical examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 480, a bill for an act relating to jurisdiction of the district court in the possible reconsideration of a felon's or misdemeanor's sentence.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Reassigned bills to subcommittees.

Adjourned: 3:45 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: January 9, 1984, 1:30 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair, Hulse, Ranking Member (arrived 1:40 p.m.); Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 476, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 6: Anderson, Slater, Colton, Gettings, Hutchins and Wells. Nays, 4: Hulse, Hultman, Jensen and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Reassigned bills to subcommittees.

Adjourned: 1:42 p.m.

RULES AND ADMINISTRATION

Convened: January 9, 1984, 11:29 a.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Anderson and Hulse.

Members Absent: Kinley.

Final Bill Action: SENATE RESOLUTION 101, a resolution amending the senate rules.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Junkins, Hutchins, Hultman, Anderson and Hulse. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 101, a resolution amending the joint rules.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Junkins, Hutchins, Hultman, Anderson and Hulse. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned appointments to boards and commissions to standing committees.

Adjourned: 11:50 a.m.

ANNOUNCEMENTS

Pursuant to Joint Rule 18, Senator Junkins announced the appointment of Senator Norman G. Rodgers as a member of the Joint Legislative Intern Committee for the Seventieth General Assembly.

Pursuant to Joint Rule 18, Senator Hultman announced the appointment of Senator James E. Briles as a member of the Joint Legislative Intern Committee for the Seventieth General Assembly.

Senator Junkins announced, on October 21, 1983, the appointment of Senator James Gallagher to the Select Advisory Panel on Hazardous Waste, sponsored by the Water, Air and Waste Management Commission.

ACKNOWLEDGMENT

On May 24, 1983, acknowledgment was made to Paul Bridgford, Altoona, Iowa, for the gift to the Iowa Senate of the three 1983 stamp prints. The stamp prints were issued by the Conservation Commission for the Iowa Duck Stamp; Iowa Habitat Stamp and the Iowa Trout Stamp.

COMMUNICATIONS

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

IOWA DEPARTMENT OF JOB SERVICE

On June 14, 1983, received a copy of the Actuarial Report of the Iowa Job Insurance System as of December 31, 1982, pursuant to Chapter 54, Section 9, of the 1977 Acts of the Sixty-seventh General Assembly.

Copies available to members of the Senate upon request to the Iowa Department of Job Service, Audit and Analysis Department, Actuarial Research Section.

OFFICE FOR PLANNING AND PROGRAMMING

On June 22, 1983, received a copy of the Governor's Coordination and Special Services Plan for implementing the Job Training Partnership Act (JTPA) in Iowa during Fiscal Year 1984.

IOWA DEPARTMENT OF SOCIAL SERVICES

On June 28, 1983, received a copy of the Department's Fiscal Year 1982 report, pursuant to Section 217.21 of the Code of Iowa.

Copies available to members of the Senate upon request.

IOWA DEPARTMENT OF TRANSPORTATION

On July 12, 1983, received a copy of the annual report "1983 Iowa Primary Road Sufficiency Log", pursuant to Section 307A.1(12) of the Code of Iowa.

Copies available to members of the Senate upon request to the Office of Advance Planning.

IOWA DEPARTMENT OF TRANSPORTATION

On July 26, 1983, received a copy of "Quandrennial Needs Study Report on Highways, Roads and Streets" for the years 1982-2001, pursuant to Chapter 307A of the Code of Iowa.

Copies available to members of the Senate upon request to the Office of Advance Planning.

TREASURER OF STATE OFFICE

On August 5, 1983, received a copy of the Report of the Treasurer of State for the Fiscal Year, July 1, 1981 through June 30, 1982. Also, a report on IPERS Securities

Loan Program and the Vocational Education report which is required by Section 258.12 of the Code of Iowa.

Copies to members of the Senate are available upon request to the Treasurer of State's Office.

IOWA DEPARTMENT OF TRANSPORTATION

On August 9, 1983, received a copy of the revised version of the Iowa Transportation Policy as recommended by the Governor's Blue Ribbon Task Force to change the opening statement of the transportation goal for Iowa.

IOWA STATE DEPARTMENT OF HEALTH

On September 21, 1983, received a copy of the Preliminary State Health Plan.

IOWA DEPARTMENT OF HUMAN SERVICES

On September 30, 1983, received a copy of the proposed plan to reduce the number of the Department's upper-level management positions by at least five percent.

IOWA DEPARTMENT OF HUMAN SERVICES

On October 27, 1983, received a copy of the Executive Summary of the budget plan approved by the Council on Human Services on September 29, 1983.

IOWA DEPARTMENT OF TRANSPORTATION

On November 4, 1983, received a revised version of the Iowa Railway Finance Authority Policy which was initiated as a result of the Governor's Blue Ribbon Task Force recommendation.

Copies are available to members of the Senate upon request.

OFFICE FOR PLANNING AND PROGRAMMING

On November 23, 1983, received a list of the grant recipients of the Iowa Community Cultural Grant Program established during the 1983 Session.

Copies available to members of the Senate upon request.

IOWA LAW ENFORCEMENT ACADEMY

On December 29, 1983, received a copy of the Iowa Law Enforcement Academy Council's recommendations and report setting forth information obtained during their study of "issuing citations in lieu of arrest".

IOWA DEPARTMENT OF TRANSPORTATION

On December 30, 1983, received a copy of the Department of Transportation's Five-Year Improvement Program. This is an estimate of money expected to become available and of construction, maintenance and other work proposed to be done.

IOWA DEPARTMENT OF PUBLIC SAFETY

On January 3, 1984, received a copy of the report of the activities undertaken for the Iowa Crime Victim Reparation Program.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

The President announced the following standing committee assignments for the 1984 Regular Session of the Seventieth General Assembly:

SENATOR JOHN E. SOORHOLTZ

Claims Appropriations Sub.,
Ranking Member
Human Resources
State Government
Ways and Means

ANNOUNCEMENTS BY THE PRESIDENT OF THE SENATE

President Anderson announced the following appointments to statutory committees during the interim of the 1983 Seventieth General Assembly:

ADMINISTRATIVE RULES REVIEW COMMITTEE

(Sec. 17A.8, 1983 Code)

(Appointed May 18, 1983)

Senator Berl E. Priebe	Term ending April 30, 1987
Senator Donald V. Doyle	Term ending April 30, 1987
Senator Dale L. Tieden	Term ending April 30, 1987

HEALTH DATA COMMISSION

(House File 196, 1983 Session)

(Appointed May 20, 1983)

Senator Edgar H. Holden	Term ending June 30, 1984
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COMMISSION ON THE AGING

(Sec. 249.B, Code 1983)

(Appointed June 27, 1983)

Senator Emil J. Husak	Term ending June 30, 1987
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MEDICAL ASSISTANCE ADVISORY COUNCIL

(Sec. 249A.4, Code 1983)

(Appointed June 28, 1983)

Senator Joe Brown Term ending June 30, 1985

Senator Dale L. Tieden Term ending June 30, 1985

**IOWA ADVISORY COMMISSION ON
INTERGOVERNMENTAL RELATIONS**

(Sec. 28C.2, 1983 Code)

(Appointed June 29, 1983)

Senator James D. Wells Term ending June 30, 1985

**IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
ADVISORY INVESTMENT BOARD**

(Sec. 97B.8, 1983 Code)

(Appointed July 20, 1983)

Senator Charles Bruner Term ending June 30, 1985

STATE FUNCTIONAL CLASSIFICATION REVIEW BOARD

(Sec. 303.6, 1983 Code)

(Appointed July 20, 1983)

Senator Charles P. Miller Serve at the pleasure of
the Lt. Governor**EDUCATION COMMISSION OF THE STATES**

(Sec. 272B.2, 1983 Code)

(Appointed July 20, 1983)

Senator Joe Brown Term ending June 30, 1987

Senator Thomas A. Lind Ex-officio term expiring June 30, 1987

COLLEGE AID COMMISSION

(Sec. 261.1, 1983 Code)

(Appointed July 20, 1983)

Senator Arthur L. Gratias Term ending June 30, 1987

IOWA JOBS COMMISSION

(Senate File 548, 1983 Session)

(Appointed July 21, 1983)

Senator Tom Slater Term ending June 30, 1985

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

(Chapter 2A, 1983 Code)

(Appointed November 9, 1983)

Mr. Tom Long

R.R.

Montour, Iowa..... Term ending June 30, 1988

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:15 p.m.,
until 9:00 a.m., Tuesday, January 10, 1984.

JOURNAL OF THE SENATE

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SECOND CALENDAR DAY SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 10, 1984

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

Prayer was offered by the Reverend Faith Ferre', Associate Minister of the First Christian Church, Des Moines, Iowa.

The Journal of Monday, January 9, 1984, was approved.

INTRODUCTION OF BILLS

Senate File 2036, by Ritsema, a bill for an act relating to the false use of a financial instrument.

Read first time and passed on file.

Senate File 2037, by Holden, a bill for an act relating to the qualifications for the additional property tax relief for the elderly and disabled.

Read first time and passed on file.

Senate File 2038, by Horn, a bill for an act to prohibit public utilities from charging customers for the cost of reading a meter.

Read first time and passed on file.

Senate File 2039, by Hutchins and Hultman, a bill for an act to create a valuation review commission and to provide for its powers and duties.

Read first time and passed on file.

Senate File 2040, by Hutchins, a bill for an act amending Iowa's unemployment compensation law by crediting earned interest on the special employment security contingency fund to the temporary emergency surcharge fund, by limiting expenditures from the special employment security contingency fund, by annually transferring certain amounts from the special employment

security contingency fund to the temporary emergency surcharge fund or to the unemployment trust fund, and by requiring an annual departmental report detailing planned expenditures from the special employment security contingency fund.

Read first time and passed on file.

Senate File 2041, by Gallagher, a bill for an act providing that a logo or motto which the state transportation commission proposes to place on a vehicle registration plate is subject to the general assembly's approval.

Read first time and passed on file.

ADOPTION OF RESOLUTIONS

Senator Junkins asked and received unanimous consent to take up for consideration House Concurrent Resolution 102.

House Concurrent Resolution 102

On motion of Senator Junkins, House Concurrent Resolution 102, a resolution providing for a joint convention on January 17, 1984, for the purpose of observing the centennial of the dedication of the present Capitol building, filed January 9, 1984, and found on page 18 of the Senate Journal, was taken up for consideration.

Senator Junkins moved the adoption of House Concurrent Resolution 102, which motion prevailed by a voice vote.

Senator Junkins asked and received unanimous consent to take up for consideration House Concurrent Resolution 103.

House Concurrent Resolution 103.

On motion of Senator Junkins, House Concurrent Resolution 103, a resolution providing for a joint convention on January 19, 1984, for the condition of the judicial department message, filed January 9, 1984, and found on page 19 of the Senate Journal, was taken up for consideration.

Senator Junkins moved the adoption of House Concurrent Resolution 103, which motion prevailed by a voice vote.

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

The Senate resumed session, President Anderson 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 Parliamentarian and Sergeant-at-arms.

JOINT CONVENTION

The joint convention convened at 10:00 a.m., President Anderson presiding.

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

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

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

The motion prevailed by a voice vote and the President appointed Senators Palmer, Slater and Soorholtz, on the part of the Senate, and Representatives Chiodo, Carl and Menke, on the part of the House.

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

Mrs. Chris Branstad; daughter, Allison; son, Eric; and Mrs. Branstad's parents, Mr. and Mrs. Dick Johnson, were escorted into the House chamber.

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

President Anderson then presented Governor Branstad who delivered the following Condition of the State address:

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

This occasion marks my first opportunity to report on the Condition of our State. Thirty-eight previous Iowa governors have delivered such reports to seventy general assemblies.

Each address has been different—tailored to the circumstances of a particular year. Some state of the state messages have been bold, to match the robust mood of Iowans. Other messages have been cautious, in deference to our deliberate way of solving problems.

For those who might want to quickly characterize my speech today, let me simply say that I intend to blend boldness and caution. For I believe that is what Iowa's condition warrants as we begin the New Year.

Just like the concentric circles on the trunk of a tree, 1984 follows 1983, which was a year full of turbulence and testing.

First, came the devastating drought of summer. Last month, came the bitter blast of winter. Both tested our strength, our endurance, our patience and, some would say, our love of this place we call home.

Many Iowans were tested severely by the lingering national recession in 1983. Some struggled to get by.

A new governor and a new legislature were tested, too. We had to cope with conditions caused by that recession.

How did we fare in 1983? Were we up to those tests? We were—because, fortunately, there is more to being an Iowan than merely residing within our borders.

Stubborn Iowa backbone helped our farmers endure the drought.

Steadfast Iowa compassion, expressed by churches, families and friends, helped the unemployed through months with no paychecks.

Steady Iowa discipline helped state government through the trauma of budget cutting.

Few Americans were tested as much in 1983 as were Iowans. And, few people anywhere met those tests as well as Iowans.

When I travel to the meetings of America's governors, I am proud to say that I represent the state of Iowa, where our greatest source of strength is each other.

A recent television documentary portrayed what is good about this state. Listen to the words of the narrator, Hal Holbrook, "Iowa is the way America is supposed to be — People here feel connected to one another."

That kind of closeness provides a natural bond for partnerships—between neighbor and neighbor, between citizen and government, between private resources and public interests.

These kinds of partnerships were the hallmark of my Inaugural Message just one year ago. Let me highlight some of them.

In 1983, Iowans concerned about each other made Project HELPER a tremendous success. Private contributions have weatherized nearly 500 homes in 93 Iowa counties. One of those homes belongs to a widow in Mason City. Recently, she wrote me to express her thanks for "making this old house comfortable again." Through programs like HELPER, we are trying to reach out to people in need. For instance, we also started a program for widowed Iowans who require special advice or emotional support during their time of stress.

In 1983, I committed my administration to quality for all Iowans. I'm pleased to report that Kathryn Graf of my staff, and members of the 50 States Committee, are completing their review of the Iowa Code. They have identified laws that discriminate—both in language and in application. We will deliver their findings to you very soon.

In 1983, Iowa government pledged pay equity for state employees. And, I look forward to receiving the Comparable Worth Steering Committee's report next month.

In 1983, I charged a citizen task force with finding practical, cost-effective and efficient suggestions for operating state government. They identified changes that could save at least \$32 million. Some will be implemented by Executive Order. Others require legislative action, and are specified in the written addendum to this message.

In addition to all of those initiatives, we began others during 1983.

A Public Records Task Force has been meeting since July to define the proper balance between the public's right to know and individual privacy. Their report will be on your desks shortly.

Last fall, we held the first Iowa Human Services Forum, where over 400 state leaders discussed a full spectrum of concerns and plans for partnership problem-solving.

These are just a few examples of what was accomplished in Iowa last year. There were many more. Here in the Statehouse, we overcame partisan differences. And in so doing, we did what was right for the people.

This legislative session demands the same kind of cooperation and teamwork.

Though this is an election year, we should avoid political games. Iowans expect more from us. They expect us to work together. They expect us to prepare Iowa for a secure future.

Today, I set forth a plan to accomplish this objective. This plan charts a course for that secure future. This plan capitalizes on our assets and improves our quality of life. This plan calls for:

- Promoting Iowa Exports and Creating Jobs
- Encouraging Educational Excellence
- Protecting Young Iowans
- Curbing Substance Abuse and Drunk Driving
- Toughening Criminal Procedures, and
- Improving Iowa Government

PROMOTING IOWA EXPORTS AND CREATING JOBS

Think about what we did together last year. We gave the Iowa Development Commission a new look, new leadership and new tools to do its job better. We relocated the IDC into a striking new building and started a small business division. We accelerated high technology research and began efforts to promote new Iowa products. We tripled our advertising budget and promoted Iowa as a good place for family vacations.

These steps are important because they enhance our ability to create more Iowa jobs. And, I want to personally thank you for working with me on this priority.

Now, in 1984, we can take yet another giant stride together. Only this time, we will not have to play catch-up. We will deal from a position of strength.

Iowa is already a leading export state—second in America in farm exports and tenth in total exports.

A lot of Iowans who wear blue collars in the factory or blue jeans on the farm owe their jobs to exports—57,000 workers to be exact.

Those jobs are why we conduct Iowa trade missions and why we will open an Iowa office in Asia this year.

The key to Iowa's economic future lies with more trade. We can sell more of our raw commodities overseas. We can sell more processed products. We can sell more manufactured goods. I submit that an Iowa World Trade Center would do just that.

And it would create thousands of more jobs and prepare Iowa for the 1990s and the 21st century.

Envision, if you will, not just a building, but a gathering place for world buyers to see, taste, and learn about the best of Iowa. The Iowa exhibition area will showcase what we make here. And, a strong coalition of Iowa agricultural interests, linked through the World Trade Center, will increase our impact on federal farm policy.

More than anything else, the Iowa World Trade Center will project Iowa into a stronger position in the global marketplace.

Iowans may correctly ask, "Can we afford to have an Iowa World Trade Center?"

Having seen the trade center in Dallas and knowing what other states are now doing, I ask, "Can we afford not to have an Iowa World Trade Center?"

This complex will also have an educational component. But, we don't have to wait for a trade center to do more with ag research. I recommend that we begin a Meat Export Technology and Policy Research Group to further develop value-added meat products.

To stimulate more jobs and commerce, we should authorize port authorities and increase the bonding authority of the Small Business Loan Program.

Further, tax abatement provided to new industrial real estate should extend to warehouse and distribution facilities—a way to bring about new Iowa jobs in this growing segment of the economy.

Today, I ask you to remove a major impediment to economic development. I ask again for a balance, reasonable approach to Iowa's Unemployment Trust Fund.

Last June, I signed an unemployment bill which I didn't like. The consequences of not signing it would have been too extreme. I acted because legislative leaders assured me they would do better next year. Well, next year is here, and I await your action.

If we continue the ambitious jobs agenda launched in 1983, if we invest in an Iowa World Trade Center, if we enact the other incentives I've just outlined, we will do much for the economic health of this state, for our future, and for our people.

ENCOURAGING EDUCATIONAL EXCELLENCE

Few issues present us with as good an opportunity to measure our progress as does education.

My colleague, Lamar Alexander, the Governor of Tennessee and a real champion of quality education, stated at a public forum in Des Moines last fall that his goal is to see his state where Iowa is today in terms of education excellence.

All of us can take pride in Iowa's educational system. But, we should always seek to improve that system. With other states following Iowa's pace, we cannot be satisfied with the status quo. We must stay ahead of the curve, and we will.

That is why last year we passed inventives for math, science and foreign language education to help Iowa schools and Iowa students.

That is why, despite the need for major cuts in next year's budget, I have spared state school aid. We will provide, for the first time, over \$700 million in state aid to local school districts for the 1984-1985 school year.

This year, we should expand the curriculum available to Iowa students by increasing opportunities for shared education programs. We can allow schools to request additional money for staff development. And we have a quarter-million dollar budget item for a school computer software clearinghouse.

We intend to accomplish more. In coming years, we must improve teacher preparation and teacher salaries. The forthcoming findings of our ongoing education and taxation studies, to be completed later this year, will help design this next dimension of support for our schools.

Higher education is equally vital to this state's future. And, you can show your pride in Iowa, Iowa State, UNI and our merged area schools, by fully funding my recommendations. To support our independent college students, you should take another step to increase Iowa's Tuition Grant Program.

We would like to do still more for education at all levels, but keep in mind that over one-half of this budget puts dollars into our classrooms—another sizeable investment in Iowa's future.

PROTECTING YOUNG IOWANS

Our motive for achieving long-term economic security and educational excellence is the well-being of our children. Young Iowans will build on the foundation we lay for them today. So it is appropriate that this general assembly pay special attention to protecting Iowa's children. Here are some thoughtful things we can do for them.

Strong parental support is key to the growth and development of our young Iowans. If a parent fails to meet court-ordered child support, we should automatically withhold money from that individual's paycheck.

In addition, I recommend other changes for the sake of Iowa's children, such as strengthening penalties for interfering with visitation rights.

Also, I believe sexual abuse laws should be expanded to include parents. And, penalties for this criminal act should be increased.

Whenever an Iowa child is missing, our hearts go out to the family. We share their anxiety and anguish. To help find these missing children, we should waive any waiting period that would prevent law enforcement from taking immediate action.

Let me add one other thought. All of us who are adults know that we should wear seat belts. In fact, our six-year old daughter, Allison, always reminds us to "buckle-up." But what about small children who can't protect themselves? Infant seats offer a measure of safety, and I believe it is time to require their use here in Iowa.

It is in our best interest to protect Iowa's children. More importantly, it is in their best interest. We cannot guarantee our children a pot of gold at the end of the rainbow. But, we can guard them while they are growing up.

CURBING SUBSTANCE ABUSE AND DRUNK DRIVING

If I were asked to identify a cause that seems to have captured the concern of both young and old Iowans, I would point to substance abuse and drunk driving.

Iowans are tired of irresponsible actions that result in the needless loss of life. Iowans are tired of fearing for the future of young people who haven't learned to be responsible. Iowans are tired of the substance abuser who remains a chronic drain on our welfare programs.

Thanks to two gubernatorial task forces which studied the state's liquor system and our drunk driving laws, we have a number of credible recommendations for attacking these problems.

My budget provides an additional \$4.7 million for substance abuse programs. For these dollars we can:

1. Offer better rehabilitation, and clear up the backlog of people needing help at treatment centers.
2. Enhance our drug and alcohol education and prevention programs.
3. Relieve Iowa counties of financial responsibility for substance abuse treatment.

I believe a modest increase in the cost of buying beer and liquor is a small price to pay for improving our society's health and well-being.

Over the course of the past year, many Iowans have expressed their concern about this state's legal drinking age. It's important, however, that we not penalize those young adults who are responsible citizens. So, I propose a provisional driver's license for young Iowans from 16 to 21. After any alcohol related violation, the license would be lifted until they reach that age of 21.

As part of this crackdown, we should tighten up the availability of alcohol at certain times and places, which my program does.

Finally, penalties for drunk driving should be increased, and no offender should avoid punishment through a deferred or suspended sentence.

Some 241 people died in alcohol related accidents in our state last year. That is about equal to the number of you who are seated in front of me right now in this chamber. We cannot bring back those 241 lives. But we can heed the outcry of Iowa citizens over drunk driving. It is our duty as elected officials to act and to act now, to save lives in the years ahead.

TOUGHENING CRIMINAL PROCEDURES

Drunk driving isn't the only crime that concerns me. And when it comes to thwarting crime, you will always know where I stand.

During the past year, some to the top people in state government worked to coordinate Iowa's criminal justice planning. I have carefully scrutinized their ideas, and today I send you a series of timely ideas to toughen our handling of law breakers. These are a logical follow-up to creating the Department of Corrections and adding bed-space at our institutions.

Specifically, I urge eliminating any reduction in mandatory minimum sentences by use of good and honor time.

In my program you will also find proposals to curtail computer crime, prohibit the sale of drug paraphernalia and establish a central file for juvenile records.

Crime cuts across every element of society. No person and no class of people is immune. Our state troopers, sheriffs and deputies, local police and prison guards expect us to help, not hinder their work. We owe them our serious consideration of these proposals. Our resolve to deal effectively with the perpetrators of crime is absolutely critical.

IMPROVING IOWA GOVERNMENT

We have a tradition here in Iowa of quality government. We try not to let day-to-day problems cloud our focus on long-term challenges. Moreover, we are a good partner with local governments. To improve that partnership, I again ask that you allow cities and counties to enact local option taxes, provided they are approved by a majority of local voters.

It is not wise to shove state financial responsibilities onto cities and counties. In fact, despite our budget dilemma, I am proposing we pick up some of the burdens from local taxpayers.

In addition, I suggest authorizing local government investment pools to help hold down property taxes.

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Property tax relief was one of my priorities in shaping this budget.

Last year, we were forced to impose a one-cent sales tax increase, cut budgets, and then later, come back and cut again.

We were not alone. Thirty-one other states passed tax increases last year, and forty-one states reduced spending.

Just because our problems are shared does not make them easier. We were aided by state employees who agreed to accept a pay freeze and by administrators who worked overtime to provide good service with fewer staff.

This year, we must budget without raising major taxes. We must avoid the temptation of quick-fix, money-making gimmicks. For the most part, we must solve our problems on the spending side of the ledger.

To achieve the necessary reduction, I have carried forward the 2.8 percent cut from this year's budget. This means I have reduced the increase previously recommended. But, I have exempted school aid and property tax credits from cuts in next year's budget. Most programs, especially human services, will receive more money to keep pace with demands, enrollments and caseloads.

This budget reflects Iowa's needs and directs dollars to meet those needs. Let me cite a few, in addition to those already mentioned.

During this, our "State Year of the Soil," we are adding another one-half million dollars for soil conservation cost-sharing. This brings us to over \$9 million for saving our soil, double what we were spending just four years ago.

I also call for comprehensive changes in the Road Use Tax Fund to improve Iowa's infrastructure. And, at the same time, we can make logical changes in what is funded from gas tax money.

There are dollars to continue weatherizing state buildings, which will hold down energy costs and save millions in tax dollars.

Also, I recommend a tax credit for installing energy-efficient solar hot water heating systems.

I believe we should establish an income tax check-off to speed-up restoration of the State Capitol and construction of the new Historical Building. Both are high priorities for which funds are included in this budget.

One week from today, we will celebrate the Centennial of this beautiful building. One hundred years from now, when Iowans commemorate the Capitol Bicentennial, they will thank us for this restoration.

There are other priorities in this budget and in my program. I hope you will carefully review the documents we are sending you, so you can appreciate the full scope of our planning and hard work. I am presenting you a balanced budget, and I believe a balanced program. I especially want you to consider the larger issues outlined this morning.

We must support economic development and jobs by marketing more Iowa exports.

We must ensure that young Iowans receive the very best educational opportunities.

We must look to the needs of younger Iowans who deserve our special protection.

We must take aggressive action to curb substance abuse and crackdown on drunk driving.

We must toughen our criminal procedures and promote public safety.

And, we must further improve government efficiency to guarantee taxpayers a fair return on their dollars.

Iowans want good service and good value from government, and they deserve both. Our challenge is to fulfill those expectations.

In the days, weeks and months ahead, I will work with you. So will the competent people employed in the executive branch.

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All of us come to this seat of government with a passion to serve Iowa. Some of us have family ties dating back to when Governor Ansel Briggs addressed the first legislative session. We are proud of those family histories and of this state's heritage.

We are a part of the fabric of this state — a tapestry richly woven with the character and caring of three million fiercely independent men, women and children.

This colorful tapestry is not a finished piece. Everyday, in Iowa's communities and classrooms, in our factories, and on our farms — wherever there are challenges, choices and decisions, there is also action, growth and progress. New threads are being woven into that Iowa tapestry.

This year, this session, public priorities will be debated and public funds allocated. But what really counts is what we contribute to Iowa's condition and how we better that condition.

The process will work if we allow it to. It can work well if we want it to.

I want it to work, and work well. And I trust you do too.

Thank you.

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

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

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:43 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President pro tempore Miller presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 2001, by Junkins and Hultman, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

Read first time and passed on file.

Senate File 2042, by Bruner, a bill for an act abolishing the council on child abuse information.

Read first time and passed on file.

Senate File 2043, by Junkins and Miller of Des Moines, a bill for an act authorizing a partial exemption from property taxation for new warehouses and new warehouse machinery and equipment.

Read first time and passed on file.

Senate File 2044, by Lind, a bill for an act relating to proper self-representation by state employees when dealing with the public.

Read first time and passed on file.

Senate File 2045, by Junkins and Hultman, a bill for an act to increase the membership of the tax study committee from nine to eleven members.

Read first time and referred to the committee on **Ways and Means**.

APPENDIX

ENERGY

Convened: January 9, 1984, 3:25 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Bruner, Hultman, C. Miller and Tieden.

Members Absent: Brown, Hulse and Van Gilst (all excused).

Other Committee Business: Reassigned 1983 bills to same subcommittees; assigned House File 555 to subcommittee.

Adjourned: 3:30 p.m.

HUMAN RESOURCES

Convened: January 9, 1984, 2:35 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Coleman, Gratias, Hall, Horn, Soorholtz, Mann and Ritsema.

Members Absent: Briles and Slater.

Other Committee Business: Assigned Senate File 107 to a subcommittee.

Adjourned: 2:55 p.m.

STATE GOVERNMENT

Convened: January 10, 1984, 1:36 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Bruner, Coleman (arrived 1:38 p.m.), Dieleman, Drake (arrived 1:40 p.m.), Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member (excused.)

Final Bill Action: SENATE FILE 449, a bill for an act relating to licensing private investigative agencies and private security agencies, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Slater, Carr, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Reassigned 1983 bills to same subcommittees and 1984 bills to subcommittees.

Adjourned: 1:45 p.m.

TRANSPORTATION

Convened: January 10, 1984, 3:25 p.m.

Members Present: Coleman, Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Lind, Priebe and Welsh.

Members Absent: A. Miller, Vice Chair and Nystrom (both excused.)

Final Bill Action: SENATE FILE 160, a bill for an act to define gasohol to include only alcohol distilled from agricultural products grown and processed in this state.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Drake, Doyle, Hall, Jensen, Lind, Priebe and Welsh. Nays, none. Absent or not voting, 2: A. Miller and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 309, a bill for an act relating to the distance a person without an operator's license may move a farm tractor or implement of husbandry to farmland for conducting farm operations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Drake, Doyle, Hall, Jensen, Lind, Priebe and Welsh. Nays, none. Absent or not voting, 2: A. Miller and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Reassigned 1983 bills to subcommittees.

Adjourned: 3:35 p.m.

STUDY BILLS RECEIVED

S.S.B. 2001 Education

An act relating to the method of determining enrollment of pupils in certain kindergarten programs for purposes of state foundation aid.

S.S.B. 2002 Judiciary

An act relating to the authority of the Iowa law enforcement academy director and the law enforcement academy council to establish standards of professional conduct and continuing education requirements and to enforce the standards and requirements.

S.S.B. 2003 Judiciary

An act relating to the collections of fines and penalties by a county attorney.

S.S.B. 2004 Judiciary

An act to reduce the penalty from a serious misdemeanor to a simple misdemeanor for operating a motor vehicle when the operator's license has been suspended or revoked.

S.S.B. 2005 State Government

An act to extend the sunset provision on community action agencies to July 1, 1986.

S.S.B. 2006 State Government

An act relating to transition legislation for the Iowa department of corrections.

S.S.B. 2007 State Government

An act relating to the confidentiality of Iowa department of corrections records and providing a penalty.

S.S.B. 2008 Judiciary

An act relating to the possession of certain materials which may promote the sexual exploitation of children and providing a penalty.

S.S.B. 2009 Judiciary

An act making the three-day notice to quit given by mobile/manufactured home landlords concurrent with the three-day notice for failure to pay rent.

S.S.B. 2010 Judiciary

An act relating to the parental responsibility for actions of children.

S.S.B. 2011 Natural Resources

An act relating to the authority of the Department of Water, Air and Waste Management over used oil.

S.S.B. 2012 Natural Resources

An act relating to the authority of the Department of Water, Air and Waste Management over underground tanks for storage of petroleum products and investigation of hazardous conditions.

S.S.B. 2013 Natural Resources

An act relating to the regulation of hazardous waste and the provision of penalties.

S.S.B. 2014 Natural Resources

An act relating to the authority of the Department of Water, Air and Waste Management establishing uniform enforcement remedies and amending existing enforcement remedies.

S.S.B. 2015 Natural Resources

An act relating to the authority of the Department of Water, Air and Waste Management over wastewater disposal systems.

S.S.B. 2016 Human Resources

An act relating to child day care by requiring family or group day care providers to report child abuse, permitting a peace officer to remove a child from a child day care facility under certain circumstances, permitting child care financial assistance funds to go to group day care homes and family day care homes, requiring the department of human services to acknowledge certain child abuse violations and violations of registration or licensure by a day care facility and to compile lists of facilities in a local area, amending the definition of a family day care home, requiring registration of family day care homes but maintaining current standards, requiring annual inspections or visits to group and family day care homes, expending injunctive authority to family day care homes, and establishing fees and penalties.

S.S.B. 2017 Human Resources

An act adopting the federal child and dependent care tax credit for the purpose of computing Iowa income taxes.

S.S.B. 2018 Human Resources

An act relating to the protection of children by amending Iowa's child abuse and child-in-need-of-assistance laws.

S.S.B. 2019 Human Resources

An act establishing a missing children registry within the bureau of criminal identification of the department of public safety.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2001	Ways and Means
S. F.	2002	Small Business
S. F.	2003	State Government
S. F.	2004	Judiciary
S. F.	2005	Judiciary
S. F.	2006	Natural Resources
S. F.	2007	Ways and Means
S. F.	2008	Judiciary
S. F.	2009	Judiciary
S. F.	2010	Judiciary
S. F.	2011	Human Resources
S. F.	2012	State Government
S. F.	2013	Commerce
S. F.	2014	State Government
S. F.	2015	Local Government
S. F.	2016	State Government
S. F.	2017	Commerce
S. F.	2018	Judiciary
S. F.	2019	Commerce
S. F.	2020	State Government
S. F.	2021	Judiciary
S. F.	2022	State Government
S. F.	2023	Judiciary

S. F.	2024	State Government
S. F.	2025	State Government
S. F.	2026	Judiciary
S. F.	2027	Transportation
S. F.	2028	State Government
S. F.	2029	Transportation
S. F.	2030	Natural Resources
S. F.	2031	Local Government
S. F.	2032	Education
S. F.	2033	Energy
S. F.	2034	Transportation
S. F.	2035	Judiciary

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. David McInnes, M.D. resident at Iowa Lutheran Hospital, Des Moines, Iowa.

AMENDMENTS FILED

S—5001	S. F.	476	Calvin O. Hultman
S—5002	S. C.R.	101	Dale L. Tieden

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:09 p.m., until 9:00 a.m., Wednesday, January 11, 1984.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 11, 1984

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

Prayer was offered by Father John Ryan, pastor of the St. Theresa Catholic Church, Des Moines, Iowa.

The Journal of Tuesday, January 10, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2046, by Hutchins, a bill for an act relating to the use of the Bankhead-Jones Farm Tenant Act trust funds administered by the family farm development authority.

Read first time and passed on file.

Senate File 2047, by Gallagher, a bill for an act imposing a mineral severance tax and providing a penalty.

Read first time and passed on file.

Senate File 2048, by Horn, a bill for an act to allow boards of directors of school districts to levy the enrichment tax.

Read first time and passed on file.

Senate File 2049, by Wells, a bill for an act relating to a two-year property tax exemption for new single-family residential dwellings and new apartments in horizontal property regimes.

Read first time and passed on file.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees as members of state boards and commissions:

June 3, 1983

Jack C. Bailey, Minneapolis, Minnesota, as Director of the Iowa Development Commission pursuant to Chapter 28.3, 1983 Code of Iowa, for a term beginning June 17, 1983, and serving at the pleasure of the Governor.

June 15, 1983

Ronald S. Niemann, Manning, Carroll County, Iowa, to the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1983 Code of Iowa, for a three-year term beginning May 1, 1983, and ending April 30, 1986.

Karl A. Nelson, Shell Rock, Butler County, Iowa, to the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

June 16, 1983

Dorothy Beck Sheil, Des Moines, Polk County, Iowa, to the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1983 Code of Iowa, for a three-year term beginning May 1, 1983, and ending April 30, 1986.

June 23, 1983

Cornelia V. Hoy, Adel, Dallas County, Iowa, to the State Board of Psychology Examiners pursuant to Section 147.14(7), 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1984.

June 27, 1983

To the State Racing Commission pursuant to Chapter 187, Section 5, 1983 Acts of the Seventieth General Assembly:

Lavonne Mydland, Rock Rapids, Lyon County, Iowa, for a one-year term beginning July 1, 1983, and ending April 30, 1984.

Dr. Sally Brown Prickett, Cumming, Warren County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Lawrence F. Scalise, Des Moines, Polk County, Iowa, for a three-year term beginning May 1, 1983, and ending April 30, 1986.

Steve Sovern, Marion, Lynn County, Iowa, for a one-year term beginning July 1, 1983, and ending April 30, 1984.

June 30, 1983

L.C. Pike, Grundy Center, Grundy County, Iowa, to the State Racing Commission pursuant to Chapter 187, Section 5, 1983 Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, to replace the name of Gerald J. Manatt, previously submitted as an appointee to the State Racing Commission.

July 1, 1983

Mary L. Leonard, Iowa City, Johnson County, Iowa, to the Mental Health & Mental Retardation Commission pursuant to Section 225C.5, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1984.

James L. Tweenen, Lake Mills, Worth County, Iowa, to the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

July 15, 1983

Harold Farrier, West Des Moines, Polk County, Iowa, as Director of the Department of Corrections pursuant to Chapter 96, Section 8, 1983 Acts of the Seventieth General Assembly, for a term beginning immediately and serving at the pleasure of the Governor.

To the Jobs Commission pursuant to Chapter 207, Section 2, 1983 Acts of the Seventieth General Assembly, for terms beginning immediately and ending June 30, 1985:

David L. Charles, West Des Moines, Polk County, Iowa; Norma J. Harmison, Indianola, Warren County, Iowa; Lyle A. Hellyer, Ottumwa, Wapello County, Iowa; Beatrice A. Huston, Cedar Rapids, Linn County, Iowa; and Ronald H. Schectman, Carroll, Carroll County, Iowa.

July 19, 1983

To the Board of Corrections pursuant to Chapter 96, Section 5, 1983 Acts of the Seventieth General Assembly:

Gary L. Baugher, Ankeny, Polk County, Iowa, for a term beginning immediately and ending April 30, 1987.

Billie D. Lloyd, Davenport, Scott County, Iowa, for a term beginning immediately and ending April 30, 1985.

Michael W. Mahaffey, Montezuma, Poweshiek County, Iowa, for a term beginning immediately and ending April 30, 1986.

Harold C. McCormick, Manchester, Delaware County, Iowa, for a term beginning immediately and ending April 30, 1987.

Jack Pashall, Anamosa, Jones County, Iowa, for a term beginning immediately and ending April 30, 1986.

Yvonne M. Schildberg, Greenfield, Adair County, Iowa, for a term beginning immediately and ending April 30, 1985.

Donald O. Vold, Forest City, Winnebago County, Iowa, for a term beginning immediately and ending April 30, 1987.

July 21, 1983

Dean K. Albrecht, Lake City, Calhoun County, Iowa, to the City Finance Committee pursuant to Section 384.13, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

Lois G. Campbell, Ankeny, Polk County, Iowa, to the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.12-20, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1984.

August 15, 1983

To the Iowa High Technology Council pursuant to Chapter 207, Section 35, 1983 Acts of the Seventieth General Assembly:

Varel G. Bailey, Anita, Cass County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Joseph A. Borgen, Des Moines, Polk County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

James L. Churchill, Solon, Linn County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Judy K. Fitzgibbon, Des Moines, Polk County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Charles E. Gifford, Newton, Jasper County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Donna Keppy, Wilton, Cedar County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Robert D. Looft, Council Bluffs, Pottawattamie County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Thomas A. Mefferd, Laurens, Pocahontas County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Rex Montgomery, Iowa City, Johnson County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Becky S. Richardson, Stockton, Muscatine County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Donald P. Rowen, Des Moines, Polk County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

David H. Swanson, Ames, Story County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

To the Iowa Product Development Corporation pursuant to Chapter 207, Section 21, 1983 Acts of the Seventieth General Assembly:

M.J. Arts, Sioux City, Woodbury County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

A. Arthur Davis, Des Moines, Polk County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Daniel K. Dittmore, Dubuque, Dubuque County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Karla J. Fultz, Des Moines, Polk County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Donald D. Gingerich, Parnell, Iowa County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Florine Swanson, Galt, Wright County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Theodore K. Watson, Stockport, Van Buren County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

To the Small Business Advisory Council pursuant to Chapter 207, Section 15, 1983 Acts of the Seventieth General Assembly:

Richard S. Burchett, Harlan, Shelby County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Larry D. Clement, Fort Dodge, Webster County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Darlene J. Coomes, Dubuque, Dubuque County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Doris A. Hansen, Sioux City, Woodbury County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Arden L. Kiefer, Belmond, Wright County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Robert M. Kreamer, Des Moines, Polk County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Eugene H. Philip, Sibley, Osceola County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Joan B. Poe, Cedar Falls, Black Hawk County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Gloria M. Thomas, Des Moines, Polk County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Connie Wimer, Des Moines, Polk County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

To the Tax Study Committee pursuant to Chapter 211, Section 2, 1983 Acts of the Seventieth General Assembly, for terms beginning July 1, 1983, and ending December 31, 1984:

Gregory M. Brown, Marshalltown, Marshall County, Iowa; Mary E. Chalupsky, Fairfax, Linn County, Iowa; Thomas A. Loudon, Fairfield, Jefferson County, Iowa; and Roger J. Shaff, Camanche, Clinton County, Iowa.

August 16, 1983

Paul M. Hasvold, Decorah, Winneshiek County, Iowa, to the Council on Human Services pursuant to Section 217.2, 1983 Code of Iowa, for a six-year term beginning immediately and ending April 30, 1989.

August 23, 1983

H. Idris Thomas, Mason City, Cerro Gordo County, Iowa, to the Credit Union Review Board pursuant to Section 533.53, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

September 1, 1983

Gloria B. Fish, Sioux City, Woodbury County, Iowa, to the Iowa High Technology Council pursuant to Chapter 207, Section 35, 1983 Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

September 23, 1983

Kim D. Schmett, Des Moines, Polk County, Iowa, to the Job Service Appeal Board pursuant to Section 96.6(4), 1983 Code of Iowa, for an unexpired term beginning October 1, 1983, and ending April 30, 1984.

William L. Krah, Des Moines, Polk County, Iowa, as State Comptroller pursuant to Section 8.4, 1983 Code of Iowa, for a term beginning September 23, 1983, and serving at the pleasure of the Governor.

September 26, 1983

Sam Grabarski, Des Moines, Polk County, Iowa, for reappointment as Director of the Iowa State Arts Council pursuant to Section 304A.3, 1983 Code of Iowa, serving at the pleasure of the Governor for a four-year term beginning May 1, 1983, and ending April 30, 1987.

November 8, 1983

Russell H. Watt, Marshalltown, Marshall County, Iowa, to the Commission for the Blind pursuant to Section 601B.1-4, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

Mary B. Haldane, Des Moines, Polk County, Iowa, to the Iowa Higher Education Loan Authority pursuant to Chapter 261A.6, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

Phyllis K. Osborn, Carroll, Carroll County, Iowa to the Mental Health & Mental Retardation Commission pursuant to Section 225C.5, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1984.

James A. McClimon, Altoona, Polk County, Iowa, to the Public Employment Relations Board pursuant to Section 20.5, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1984.

Ann Tank, Des Moines, Polk County, Iowa, to the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

Marjorie M. Matzen, Council Bluffs, Pottawattamie County, Iowa, to the State Board of Nursing Examiners pursuant to Section 147.12-20, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

Timothy D. Neville, Red Oak, Montgomery County, Iowa, to the State Board of Regents pursuant to Section 262.1 & 2, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1989.

November 16, 1983

Thomas R. Eller, Denison, Crawford County, Iowa, for appointment to the Iowa Board of Parole pursuant to Section 904.1, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

December 20, 1983

Jim D. Bixler, Council Bluffs, Pottawattamie County, Iowa, to the Small Business Advisory Council pursuant to Chapter 207, Section 15, 1983 Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

January 3, 1984

Robert N. Houser, Des Moines, Polk County, Iowa, to the Tax Study Committee pursuant to Chapter 211, Section 2, 1983 Acts of the Seventieth General Assembly, for a term beginning immediately and ending December 31, 1984.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

REQUEST FOR UNANIMOUS CONSENT

Senator Junkins asked and received unanimous consent that William Krahl, Comptroller, and Arthur B. Claus, Chief Analyst for the Comptroller's Office, be permitted in the Senate chamber to present an analysis of the Governor's budget to the members of the Senate.

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

The Senate resumed session, President pro tempore Miller presiding.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:30 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2050, by Holt, a bill for an act relating to the election and terms of office of sanitary district trustees.

Read first time and passed on file.

Senate File 2051, by Coleman, a bill for an act relating to the determination of the productivity of agricultural land for purposes of property taxation.

Read first time and passed on file.

Senate File 2052, by Ritsema, a bill for an act relating to the creation of a full-time board of parole.

Read first time and passed on file.

Senate File 2053, by Doyle, a bill for an act specifying the number of affirmative votes of the board of directors of the Iowa product development corporation that are necessary before action may be taken by the board.

Read first time and passed on file.

Senate File 2054, by Gentleman, a bill for an act relating to the violation of a custodial order, and applying a penalty.

Read first time and passed on file.

Senate File 2055, by Gentleman, a bill for an act relating to the enforcement of visitation and custody orders and decrees and providing a penalty.

Read first time and passed on file.

WITHDRAWN

Senator Holden asked and received unanimous consent that **Senate Files 234 and 271** be withdrawn from further consideration of the Senate.

Senator Carr asked and received unanimous consent that **Senate File 198** be withdrawn from further consideration of the Senate.

Senator Gentleman asked and received unanimous consent that **Senate File 2010** be withdrawn from further consideration of the Senate.

Senator Husak asked and received unanimous consent that **Senate File 388** be withdrawn from further consideration of the Senate.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 101**.

Senate Concurrent Resolution 101

On motion of Senator Hultman, **Senate Concurrent Resolution 101**, a resolution amending **Joint Rule 17**, was taken up for consideration.

Senator Tieden offered amendment **S—5002** filed by him on January 10, 1984, to page 1 of the resolution.

Senator Junkins raised the point of order that amendment **S—5002** was not germane to the resolution.

The Chair ruled the point well taken and amendment **S—5002** out of order.

Senator Hultman moved the adoption of Senate Concurrent Resolution 101.

A non record roll call was requested.

The ayes were 47, nays, none.

The motion prevailed.

Senator Junkins asked and received unanimous consent that Senate Concurrent Resolution 101 be immediately messaged to the House.

APPENDIX

CERTIFICATES OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificates of recognition have been issued as follows:

Donald W. Wiebold — For over twenty years of service to the Senate. Senator Mann. (December 31, 1983.)

City of Kimballton, Iowa — Their centennial year. Senator Hutchins. (June 3, 1983.)

City of Packwood, Iowa — Their centennial year. Senator Schwengels. (June 14, 1983.)

City of Halbur, Iowa — Their centennial year. Senator Hutchins. (June 17, 1983.)

City of Dedham, Iowa — Their centennial year. Senator Hutchins. (June 24, 1983.)

Frank Houston — Outstanding achievement as the Girls' Softball Coach of Ottumwa High School. Senator Gettings (July 5, 1983.)

Linn County Conservation Board and Iowa's Rails to Trails, Inc. — For 1983 Grand Opening. Senator Hall. (September 18, 1983.)

Coach Tom Stone and the Pekin Panthers — For their hard work and good sportsmanship in obtaining the 1-A championship. Senator Schwengels. (November 11, 1983.)

REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on rules and administration submits the following officers, employees and secretaries to Senators and their respective classifications, grades, steps and changes:

		Class	Grade	Step
Parliamentarian	Allen Welsh	E-FT Effective 1/3/84	29	1
Secretary to the Secretary	Jean Cook	S-O Effective 11/28/83	20	1
Assistant Finance Officer/ Assistant to the Legal Counsel	Amy Erickson	S-O Effective 1/3/84	18	1

Administrative Assistant to Minority Leader	Judy Bertelsen	P-FT 30 Effective 11/4/83	1
Research Analyst	Mary Gannon	P-FT 24 Effective 10/21/83	1
Research Analyst	Barbara Deitrich	P-FT 24 Effective 9/1/83	1
Research Analyst	Jenny Netcott	P-FT 25 Effective 11/18/83	1
Research Analyst	Carol D. Olson	P-FT 24 Effective 12/13/83	1
Research Analyst	Scott M. Teasdale	P-FT 24 Effective 9/6/83	1
Secretary to Caucus	Nancy Henter	P-FT 15 Effective 11/14/83	6
Doorkeeper	Robert Doyle	S-O 9 Effective 1/9/84	1
Bill Clerk	Dale Derscheid	S-O 13 Effective 1/3/84	1
Assistant Bill Clerk	Darrin Hamilton	S-O 12 Effective 1/6/84	1
Switchboard Operator	Fredda Wright	S-O 13 Effective 1/9/84	1
Journal Editor	Carole J. Kelly	P-FT 24 Effective 7/1/83	7
Secretary	Lisa Binneboese	S-O 13 Effective 1/9/84	2
Secretary	Rose Clay	S-O 13 Effective 1/9/84	3
Secretary	Joan Grant	S-O 13 Effective 1/9/84	4
Secretary	Barbara Harrison	S-O 15 Effective 1/9/84	6
Secretary	Paula Virtue	S-O 13 Effective 1/9/84	2
Secretary	Katheryn Walden	S-O 15 Effective 1/9/84	4
Secretary	Mary Ann Waters	S-O 13 Effective 1/9/84	2
Administrative Assistant	Margaret Wimmer	S-O 15 Effective 1/9/84	1

LOWELL L. JUNKINS, Chair

STUDY BILLS RECIEVED**S.S.B. 2020 Education**

An act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

S.S.B. 2021 State Government

An act relating to the liability of an auctioneer who sells personal property subject to a security interest.

COMMUNICATION

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

COMMISSION ON THE AGING

On January 11, 1984, received a copy of the Annual Report of the Commission on the Aging for FY '83. The report clearly outlines the status of the Commission in FY '83 and services provided by the Area Agencies on Aging.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2036	Judiciary
S. F.	2037	Ways and Means
S. F.	2038	Commerce
S. F.	2039	Ways and Means
S. F.	2040	Labor and Industrial
S. F.	2041	State Government
S. F.	2042	State Government
S. F.	2043	Ways and Means
S. F.	2044	State Government
S. J. R.	2001	State Government

REPORTS OF COMMITTEE MEETINGS**JUDICIARY**

Convened: January 11, 1984, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair, Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Briles.

Final Bill Action: SENATE FILE 253, a bill for an act relating to qualifications for and exemptions from juror service.

Recommendation: DO PASS.

Final Vote: Ayes, 13, Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Welsh and Small. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 442 (SSB 223), a bill for an act relating to access to library records by criminal justice agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Risterna, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Welsh and Small. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:45 p.m.,

LOCAL GOVERNMENT

Convened: January 10, 1984, 8:32 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown, Colton, C. Miller, Vande Hoef, Waldstein and Mann (arrived 8:40 a.m.)

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:45 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 10, 1984, 2:35 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Anderson, Gratias, Hulse, Hutchins, Lind, Mann, A. Miller, Readinger and Rodgers.

Members Absent: Taylor, Ranking Member (excused.)

Other Committee Business: Discussed business to be considered this session.

Adjourned: 2:42 p.m.

STATE GOVERNMENT

Convened: January 11, 1984, 3:32 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman (arrived 3:39 p.m.), Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh (arrived 3:34 p.m.)

Members Absent: Schwengels.

Final Bill Action: HOUSE JOINT RESOLUTION 2, a resolution ratifying a proposed amendment to the Constitution of the United States to provide for representation of the District of Columbia in the congress.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Gettings, C. Miller, Soorholtz and Welsh. Nays, 3: Nystrom, Drake and Rife. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: SSB 2006 ordered redrafted as a committee bill.

Adjourned: 4:08 p.m.

WAYS AND MEANS

Convened: January 10, 1984, 3:30 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown, Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Soorholtz, Readinger, Rodgers and Van Gilst.

Members Absent: Small.

Other Committee Business: Reassigned 1983 bills to the same subcommittees; assigned House Files 624 and 658 to subcommittees.

Adjourned: 3:40 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Rodney Carlson, M.D., Ankeny, Iowa.

AMENDMENTS FILED

S-5003	S. F.	476	Arthur A. Small, Jr.
S-5004	S. F.	253	Berl E. Priebe
S-5005	H.F.	166	Edgar H. Holden
S-5006	S. F.	476	Joe Brown
S-5007	S. F.	44	Wm. (Bill) Dieleman
			Ray Taylor
			John N. Nystrom

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Thursday, January 12, 1984.

JOURNAL OF THE SENATE

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FOURTH CALENDAR DAY FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 12, 1984

The Senate met in regular session at 9:08 a.m., President Anderson presiding.

Prayer was offered by the Reverend Alford Luke, pastor of the Christian Reformed Church, Des Moines, Iowa.

The Journal of Wednesday, January 11, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Junkins.

INTRODUCTION OF BILL

Senate File 2056, by Kinley, a bill for an act to amend the Iowa pari-mutuel wagering Act.

Read first time and passed on file.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 101.

Senate Resolution 101

On motion of Senator Hultman, Senate Resolution 101, a resolution amending Senate Rules 30, 37 and 39, was taken up for consideration.

Senator Hultman asked and received unanimous consent to withdraw amendment S-5008 filed by Senators Hultman and Coleman from the floor to page 1 of the resolution.

Senator Hultman offered amendment S—5009 filed by Senators Hultman and Coleman from the floor to pages 1 and 2 of the resolution and moved its adoption.

Amendment S—5009 was adopted by a voice vote.

Senator Hultman moved the adoption of Senate Resolution 101 as amended, which motion prevailed by a voice vote.

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

The Senate resumed session, Senator Waldstein presiding.

RECESS

On motion of Senator Tieden, the Senate recessed at 12:30 p.m., until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:10 p.m., President Anderson presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Hultman called up the following motion to reconsider filed by him from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate Resolution 101 was adopted by the Senate on January 12, 1984.

The motion prevailed by a voice vote and Senate Resolution 101, was taken up for reconsideration.

Senate Resolution 101

On motion of Senator Hultman, Senate Resolution 101, a resolution amending Senate Rules 30, 37 and 39, was taken up for reconsideration.

Senator Hultman 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—5009 to Senate Resolution 101 was adopted by the Senate on January 12, 1984.

The motion prevailed by a voice vote and amendment S—5009 by Senators Hultman and Coleman to pages 1 and 2 of Senate Resolution 101 was taken up for reconsideration.

Senator Hultman offered amendment S—5014 filed by Senators Hultman and Coleman from the floor to amendment S—5009 and moved its adoption.

Amendment S—5014 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—5009 as amended, which motion prevailed by a voice vote.

Senator Hultman moved the adoption of Senate Resolution 101 as amended, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 476.

Senate File 476

On motion of Senator Anderson, Senate File 476, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, was taken up for consideration.

Senator Gratis offered amendment S—5012 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5012 be adopted?" (S.F. 476) the vote was:

Ayes, 21:

Briles

Drake

Gentleman

Goodwin

Gratias	Hester	Holden	Holt
Hulse	Hultman	Husak	Jensen
Lind	Nystrom	Rife	Ritsema
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 27:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Horn
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rodgers	Slater	Small
Van Gilst	Wells	Welsh	

Absent or not voting, 2:

Hall Schwengels

Amendment S—5012 lost.

Senator Hultman offered amendment S—3370 filed by him on March 28, 1983, to page 1 of the bill, and moved its adoption and requested a record roll call.

On the question "Shall amendment S—3370 be adopted?" (S.F. 476) the vote was:

Ayes, 19:

Briles	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Lind
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 30:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Slater	Small	Van Gilst
Wells	Welsh		

Absent or not voting, 1:

Schwengels

Amendment S—3370 lost.

Senator Hultman offered amendment S—3371 filed by him on March 28, 1983, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3371 be adopted?" (S.F. 476) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Briles	Brown	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Husak	Hutchins	Jensen	Lind
Rife	Ritsema	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 25:

Anderson	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gallagher	Gettings	Horn	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Slater	Van Gilst	Wells
Welsh			

Absent or not voting, 1:

Schwengels

Amendment S—3371 lost.

Senator Jensen offered amendment S—5013 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—5013 be adopted?" (S.F. 476) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Briles	Carr	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulse
Hultman	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Nystrom	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 22:

Anderson	Brown	Bruner	Coleman
Colton	Deluhery	Doyle	Gallagher
Gettings	Horn	Husak	Junkins
Mann	Miller, C.P.	Palmer	Priebe
Readinger	Slater	Small	Van Gilst
Wells	Welsh		

Absent or not voting, 2:

Rodgers Schwengels

Amendment S—5013 was adopted.

Senator Hultman offered amendment S—3374 filed by him on March 28, 1983, to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3374 be adopted?" (S.F. 476) the vote was:

Ayes, 15:

Gentleman	Goodwin	Gratias	Holden
Holt	Hulse	Hultman	Jensen
Lind	Rife	Ritsema	Soorholtz
Taylor	Vande Hoef	Waldstein	

Nays, 31:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Hall	Horn	Husak	Hutchins

Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Slater	Small	Tieden
Van Gilst	Wells	Welsh	

Absent or not voting, 4:

Briles	Hester	Rodgers	Schwengels
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Amendment S—3374 lost.

Senator Mann asked and received unanimous consent that action on amendment S—5017 filed by him from the floor to page 1 of the bill be deferred.

Senator Colton withdrew amendment S—3750 filed by him on May 2, 1983, to pages 2 and 3 of the bill.

Senator Hultman offered amendment S—3375 filed by him on March 28, 1983, to pages 2 and 3 of the bill and called for a division of the amendment: lines 2 through 11 as division S—3375A and lines 12 through 14 as division S—3375B.

Senator Hultman moved the adoption of division S—3375A and requested a record roll call.

On the question "Shall division S—3375A be adopted?" (S.F. 476) the vote was:

Ayes, 18:

Drake	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hulse
Hultman	Jensen	Lind	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Slater
Small	Van Gilst	Wells	Welsh

Absent or not voting, 4:

Briles

Husak

Rodgers

Schwengels

Division S—3375A lost.

Senator Hultman moved the adoption of division S—3375B and requested a non record roll call.

The ayes were 17, nays 30.

Division S—3375B lost.

Senator Small offered amendment S—5003 filed by him on January 11, 1984, to pages 2 and 3 of the bill and requested a division of the amendment: lines 2 and 3 as division S—5003A; lines 4 through 7 as division S—5003B; lines 8 through 10 as division S—5003C.

Senator Small moved the adoption of division S—5003A, which motion prevailed by a voice vote.

Senator Small withdrew division S—5003B.

Senator Small asked and received unanimous consent that action on division S—5003C be deferred.

Senator Hutchins asked and received unanimous consent that action on amendment S—5019 filed by him from the floor to page 2 of the bill be deferred.

Senator Small offered amendment S—5018 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5018 was adopted by a voice vote.

Senator Small offered amendment S—5016 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—5016 be adopted?" (S.F. 476) the vote was:

Ayes, 42:

Anderson
Deluhery

Brown
Dieleman

Bruner
Doyle

Coleman
Drake

Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 3:

Carr	Colton	Gettings
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Absent or not voting, 5:

Briles	Gallagher	Mann	Rodgers
Schwengels			

Amendment S—5016 was adopted.

Senator Hultman offered amendment S—3372 filed by him on March 28, 1983, to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3372 be adopted?" (S.F. 476) the vote was:

Ayes, 18:

Drake	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hulse
Hultman	Jensen	Lind	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Hall	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Slater
Small	Van Gilst	Wells	Welsh

Absent or not voting, 4:

Briles	Gallagher	Rodgers	Schwengels
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Amendment S—3372 lost.

(Senate File 476, division S—5003C and amendments S—5017 and 5019 pending on adjournment.)

INTRODUCTION OF BILL

Senate File 2057, by Junkins, a bill for an act to legalize the proceedings of the board of supervisors of Lee county relating to the compensation of certain county officers and deputies.

Read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 102, by Junkins and Hultman, a concurrent resolution designating February 11, 1984, as a day to celebrate freedom from alcohol and drug dependency.

Read first time and passed on file.

APPENDIX**COMMUNICATION**

The following communication was filed with the Secretary of the Senate on January 4, 1984:

December 27, 1983

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

In accordance with Section 25A.12, Code of Iowa 1983, we are hereby submitting to the General Assembly all General Tort claims, Highway Tort claims, settlements and judgments paid during 1983 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,
WILLIAM KRAHL
State Comptroller

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

**CHAPTER 25A GENERAL TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1983**

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
T-10679-69	Dale A. Davis Leather work missing from Iowa State Penitentiary.	\$ 144.00	\$ 75.00
T-410-70	Richard Lee Clough Guitar was damaged during transfer from Anamosa to Fort Madison.	135.00	75.00

T-033-70	Larry M. Erickson Boat & trailer damaged by boat ramp at East Okoboji.	108.15	108.15
T-061-70	Bob & Shelly Kaassen Daughter fell into a pit latrine at North Twin Lakes State Park.	20,000.00	3,500.00
T-391-70	Christopher Michael Salazar Pants missing from laundry at Riverview Release Center.	25.00	25.00
T-410-70	Timothy Guzman Personal property missing while in custody of State Penitentiary officials.	978.02	200.00
T-475-70	Teresa Lucille Peel \$25.00 missing from business office of Correctional Institution for Women.	25.00	25.00
T-518-70	Charles Knapp Personal property missing while in custody of officials at Fort Madison.	535.00	535.00
T-521-70	Elaine Jane Trotter \$10.00 missing from business office of Correctional Institution for Women.	10.00	10.00
T-555-70	Michael Jerome Holman Television lost while in custody of officials at State Penitentiary.	107.00	107.00
T-556-70	Louis Crago Personal property lost while in custody of State Penitentiary officials.	602.95	250.00
T-573-70	Gene Dryer Clothing missing from laundry at Clarinda.	27.49	27.49
T-596-70	Kenneth Wayne Williams Personal property missing while in custody of State Penitentiary officials.	172.00	172.00
T-607-70	Kevin A. Kirker Conservation Commission employee ran over sleeping bag while mowing at Lake Okoboji.	25.00	25.00

T-612-70	Glenn Harrison Jeans lost in laundry at Riverview Release Center.	23.96	23.96
TE-614-70	Rick Eugene Runnells Ring lost while in possession of State Penitentiary officials.	93.00	93.00
T-625-70	Mike Todd Pilkington Shirt missing from laundry at Riverview Release Center.	4.50	4.50
T-631-70	Tibben-Craig Builders Window broken by rock thrown by Conservation Commission mower. No safety shield was being used.	36.00	36.00
T-632-70	Smith Lumber Window broken by rock thrown by Conservation Commission mower. No safety shield was being used.	56.05	56.05
T-633-70	John A. Hayes Damage to property by a Commission for the Blind vehicle.	135.00	135.00
T-634-70	Robert Hudson Clothing lost by laundry at Riverview Release Center.	200.00	50.00
TE-675-70	Joleen Folkerts Car window broken by rock thrown from mower at Fort Dodge Armory.	68.58	68.58
T-697-70	William Paul Wilson Paint drifted onto care parked at Glenwood State Hospital-School.	50.00	50.00
T-699-70	Christopher R. Slotten Payment of medical bills relating to a fall at Dolliver State Park.	5,001.85	5,000.00
TE-706-70	Jack McCune Personal property lost at Fort Madison.	300.00	88.00
T-707-70	Richard Warren Spence Injuries received at State Penitentiary.	10,000.00	500.00
TE-714-70	William C. Johnson Personal property lost at Fort Madison.	16.35	16.35
T-732-70	Rob B. Heslop Typewriter missing after transfer to Iowa State Penitentiary.	115.87	115.87

T-743-70	Paul Caldwell Jones Watch broken by staff member at Security Medical Facility.	25.00	25.00
T-746-70	Bernice E. Sonnickson Injured when skylight fell on her in Varied Industries Building at the Iowa State Fair Grounds.	3,000.00	1,163.59
T-754-70	Charles Kimm Wages garnished in error.	215.25	169.00
T-761-70	Carlston Fredricke Donald Personal property lost at Fort Madison.	undetermined	50.00
T-762-70	Tony J. Quintero Art supplies lost during transfer to Fort Madison.	629.20	100.00
T-779-70	Adrian A. Angelsburg Truck damaged by security gate at University of Iowa.	387.00	387.00
T-797-70	Donald E. Corley Jeans lost in laundry at Clarinda.	15.00	15.00
T-814-70	Dan C. Smith Jeans lost in laundry at Clarinda.	20.00	20.00
T-816-70	Merlin Charles Long Personal property lost while in possession of officials at the State Penitentiary.	2,205.00	300.00
T-827-70	Kendall DeWitt Jacket ruined by wet paint at rest area on I-380.	66.95	66.95
T-839-70	Bradley Joe McKnight Jeans missing from laundry at Riverview Release Center.	20.00	20.00
T-880-70	Laurence Haywood Rex, Jr. Personal property missing while in custody of the State.	27.88	27.88
T-884-70	John Leroy Barrett Ring lost during transfer to the State Penitentiary.	1,170.00	50.00
T-900-70	Richard Keller Calculator lost by officials at Iowa State Penitentiary.	248.00	210.34
T-902-70	Vicky A. Dutton Mirror broken by corrections at Mitchellville.	10.00	10.00

TE-933-70	Timothy Gordon Lyon Personal property lost while in possession of officials at Fort Madison.	135.00	50.00
T-934-70	Jeffrey Dean Marvin Glasses lost by Cherokee Mental Health Institute.	151.50	151.50
T-935-70	Doug Nelson Personal property missing from Clarinda.	19.98	11.57
T-937-70	Donald J. Bogler Shirt lost while in custody of officials at Clarinda.	7.50	7.50
T-942-70	Mike L. Delezene Jeans lost while in laundry at Riverview Release Center.	30.00	30.00
T-954-70	Maurice Wilson \$20.00 lost during transfer from Story County jail to Fort Madison.	20.00	20.00
T-980-70	Dwaine A. Toran Personal property damaged and lost by staff at Clarinda.	28.00	28.00
T-1000-70	Glenn Larson Clothing lost in laundry at Riverview Release Center.	27.00	27.00
TE-1012-70	Dannie L. Petty Necklace lost during transfer to Iowa State Penitentiary.	1,500.00	50.00
T-1124-70	Donald Duane Ochs Shoes lost while in possession of officials at Anamosa.	55.00	30.00
T-1156-70	Bruce Marking Ceramic statue broken by a custodian at the University of Iowa.	25.00	25.00
T-1157-70	Jeffrey James Skipton Reimbursement of \$13.60 taken in error from his account at the Iowa Security Medical Facility.	13.60	13.60
TE-1201-70	William G. Credidio Doctors at the University of Iowa Dental Clinic pulled tooth # 16 instead of # 15.	6,500.00	2,000.00
T-1212-70	Arthur Hildenbrandt False teeth missing while claimant was being treated at the Mental Health Institute.	510.00	485.00

T-1225-70	Theodore Winfield Carter Clothing missing from laundry at Riverview Release Center.	96.00	96.00
T-1248-70	Elaie Mae Coe Reimbursement for tiling work necessary after the Conservation Commission rerouted a tile line.	296.13	296.13
TE-1251-70	Mrs. Henry Bomgaars Reimbursement of medical expenses incurred after a fall at the Spirit Lake Fish Hatchery.	50.50	50.50
T-1259-70	Jerry Joe Everett Personal property lost while in the care of Fort Madison officials.	79.00	75.00
T-1260-70	Richard Collier Slacks ruined by the laundry at Riverview Release Center.	31.00	31.00
T-1274-70	Kenneth William Eberhardt Trailer damaged by mower at Clear Lake State Park Campground.	351.00	351.00
T-1278-70	David J. Budzinski Car damaged by paint overspray while parked at Camp Dodge.	148.00	148.00
T-1281-70	Sheryl Ann Bacon Car damaged by paint overspray while parked at Camp Dodge.	146.04	146.04
T-1299-70	Steven Rohret Car damaged when a metal trash cart rolled off the dock at University Hospitals.	181.36	181.36
T-1364-70	Gerald W. Fuhrman Automobile damaged by a mower at the Mental Health Institute.	130.96	130.96
T-1487-70	Dorothy L. Tapley Reimbursement of medical expenses due to a fall at the Medium Security Unit at Mount Pleasant.	224.25	224.25

CHAPTER 25A HIGHWAY TORT CLAIMS APPROVED BY STATE APPEAL BOARD, 1983

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-026-70-T	Auto Owners Insurance Co. Auto accident caused by an excessive amount of sand on roadway during a DOT repair operation.	\$2,683.27	\$1,341.64

H-062-70-T	Effie Isabel Hammer Vehicle damaged by rocks thrown from use of an air compressor during road maintenance.	177.00	177.00
H-064-70-T	David Glenn Paarman Misaligned outlet pipe caused water back up & storage problem on claimant's property.	5,546.91	5,258.68
H-080-70-T	Batscheler Enterprises, Inc. Bean crop damaged by Tordon Beads sprayed for weed control.	169.33	75.00
H-082-70-T	Carilyn Joann Booker Medical expenses and damage to bicycle caused by a raised traffic counter cable.	369.00	369.00
H-107-70-T	Harold W. Shearer Fruit trees damaged from DOT spraying operation.	810.00	270.00
H-136-70-T	Donald Kosik & Virgil Kosik Reimbursement for tile replacement necessary after work done on Highway 21 in Benton County.	97.07	97.07
H-156-70-T	Dr. David V. Grimes Compensation for tilling necessary after "soil borrow" by the DOT during reconstruction of Highway 9.	3,889.75	3,889.75
H-161-70-T	Clarence Miller Tile line destroyed during reconstruction of Highway 9 near Thompson.	undetermined	940.00
H-182-70-T	Union Insurance Group as Subrogee of I. Marie Olson Property damage and personal injury from accident caused by grass blocking visibility at intersection.	2,450.00	2,450.00
H-165-70-T	Stanley B. Schroeder Bean crop damaged by Tordon Beads used by DOT for weed control.	250.00	250.00
H-175-70-T	James R. Fethkather Vehicle damaged by rocks thrown from use of an air compressor during road maintenance.	608.33	608.33
H-182-70-T	Northwestern Bell Telephone Co. Buried cable damaged during maintenance work on Highway 183 near Crescent.	241.76	241.76
H-202-70-T	Lyle C. Aanes & David L. Aanes Hay bales and protective tarp damaged when moved by DOT.	265.50	265.50

H-211-70-T	Raymond P. Clarahan Tire ruined by expansion plate located on a bridge on Highway 22 near Wellman.	51.02	51.02
H-221-70-T	Edward W. Beidler Cattle lost & expenses connected with the loss caused by removal of a fence on his property by a DOT contractor.	1,730.00	1,730.00
H-228-70-T	Northwestern Bell Telephone Co. Toll cable severed by DOT when cleaning a creek channel.	823.49	823.49
H-233-70-T	Richard Johnson Windshield broken by concrete when driving through a construction zone.	180.07	180.07
H-237-70-T	Mutual Fire & Automobile Co. as Subrogee for Donald Sackett Friedman Damage incurred when a DOT sign blew into side of automobile.	487.08	487.08
H-243-70-T	Mr. Fred D. Rupp Windshield cracked by a rock thrown by air hose during road repair.	194.41	194.41
H-252-70-T	Marilyn Adams Damage to automobile by pothole on I-80.	454.82	345.40
H-264-70-T	Thad Raymond Boyington Damage to automobile from fill material on Highway 8.	349.29	349.29
H-272-70-T	Willie B. Gwinn Motor home damaged by a sign leaning onto travel portion of Highway 14.	296.04	296.04
H-279-70-T	Fireman's Fund Insurance Companies Damage to insured's tires & wheels by a pothole.	422.89	422.89
H-284-70-T	City of What Cheer Damage to water line by a DOT maintenance crew.	235.55	235.55
H-285-70-T	Louis Schafer, Jr. Cedar trees was removed from claimant's property without his knowledge or consent.	98.00	98.00
H-289-70-T	Albert Hein Farm Reimbursement for retiling costs & crop damage due to incorrect drainage tiles after construction project.	10,286.45	10,286.45

4th Day

THURSDAY, JANUARY 12, 1984

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H-290-70-T	Hamilton County Reimbursement for retilling costs due to incorrect drainage tiles after construction project.	5,452.17	5,452.17
H-304-70-T	Floyd Ritnour Garden vegetables were damaged by 24D sprayed by the DOT.	240.00	240.00
H-313-70-T	Billy Wayne Scrivner. Expenses incurred after auto was damaged passing through a construction area.	127.74	127.74
H-315-70-T	Maurice Johnson Bean crop damaged by Tordon Beads sprayed by the DOT.	585.80	585.60
H-318-70-T	Leonard W. Dunn Damage to garden caused by DOT crew spraying weeds.	2,500.00	417.01
H-327-70-T	Richard Whitmore Damage to property & home caused by inadequate drainage ditch after construction of Highway 67 bypass.	3,862.83	3,862.83
H-328-70-T	Richard Schickling Damage to property & home caused by inadequate drainage ditch after construction of Highway 67 bypass.	3,049.69	3,049.69
H-329-70-T	Timothy P. Saschen Maier Damage to property & home caused by inadequate drainage ditch after construction of Highway 67 bypass.	1,305.24	1,305.24
H-341-70-T	Egon Jensen Overgaard Potatoe crop damaged by herbicide sprayed by DOT maintenance.	86.70	86.70
H-342-70-T	Catherine A. Schmitt Rock damage to automobile caused by excessive gravel on Highway 141.	493.97	493.97
H-343-70-T	Allen D. Newton Soy beans damaged by Tordon Beads.	400.80	400.80
H-349-70-T	Harold Alex Stricker Soy beans damaged by Tordon Beads.	286.98	286.98
H-350-70-T	Daniel Mark Sullivan Soy beans damaged by Tordon Beads.	573.30	504.90
H-351-70-T	Marianne Weiss Damage to automobile caused by pothole on Highway 7 near Barnum.	233.80	233.80

H-353-70-T	Lloyd Ralph Decker Soy beans damaged by Tordon Beads.	212.17	212.17
H-354-70-T	Leonard Dietrick Tree & garden damaged by herbicide used in the area by the DOT.	125.00	125.00
H-355-70-T	Robert L. Schmidt Two tires ruined by a pothole on Merle Hay Road in Des Moines.	216.02	216.02
H-356-70-T	Edward Wells Baughman Damage to truck caused when a steel beam flipped up from the bridge floor on Highway 156 west of Buxey.	463.32	463.32
H-365-70-T	Weaver Construction Co. Damage to vehicle caused from accident due to lack of signal visors to reduce reflection on traffic signals.	134.10	134.10
H-371-70-T	Rodger Martin Beans damaged by Tordon Beads sprayed by DOT.	557.55	557.55
H-374-70-T	Paul R. Winter Compensation for tiling necessary after "soil borrow" by the DOT during construction of Highway 9.	3,420.00	3,420.00
H-387-70-T	Michael Albert Olson Damage to car from paint splattered by DOT painting crew.	123.20	123.20
H-390-70-T	Lewis Farms, Ltd. Alfalfa crop damaged by Tordon Beads sprayed by DOT.	262.40	262.40

CHAPTER 25A - TORT CLAIMS JUDGMENTS & SETTLEMENTS AT OR BEFORE TRIAL - 1983

Former Claim Number	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
T-10736-69	Dorothy Angerer, Admin. Estate of Mary Frances Ayers Wrongful Death (Settlement)	\$750,000.00	72,500.00
T-4682-68 T-4681-68	Eva L. Armstrong & Roy R. Armstrong Property Damages & Personal Injury (Settlement)	76,000.00 76,000.00	6,000.00
T-4550-68	William Blair Personal Injury (Judgment)	101,900.00	10,000.00

T-3167-67	Melvyn D. Bollman Personal Injury (Settlement)	100,000.00	5,000.00
T-10319-69	Frank W. Brogan	80,000.00	1,000.00
T-10320-69	Personal Injury	75,000.00	
TE-10322-69	(Settlement)	80,000.00	
TE-10324-69		75,000.00	
TE-9919-69	Kelsey Louis Burkheimer Personal Injury (Settlement)	3,000,000.00	49,500.00
T-864-70	Debra Burnett Personal Injury (Settlement)	35,000.00	6,000.00
T-10187-69	Ross T. Campbell Personal Injury (Settlement)	1,000,000.00	667.00
T-10326-69	Lee Ann deGrazia Personal Injury (Settlement)	undetermined	225,000.00
T-3730-67	Stephen Craig Dubberke Personal Injury (Settlement)	50,000.00	1,600.00
T-10167-69	Ralph R. Elbert Personal Injury (Settlement)	45,000.00	10,000.00
T-4589-69	Gregory C. Hanson Property Damages (Settlement)	1,471.48	500.00
T-10065-69	Richard E. & Helen L. Johnson Property Damages (Settlement)	10,000.00	2,000.00
T-5082-68	Kathleen S. Kral Personal Injury (Settlement)	1,500,000.00	15,000.00
TE-6386-69	Donald Lincoln Personal Injury (Judgment)	125,000.00	65,658.90
T-6504-69	Virgil Morgan Personal Injury (Settlement)	250,000.00	750.00
T-9770-69	James Olson Personal Injury (Settlement)	undetermined	1,500.00
T-116-70	Dale Pfeiff Personal Injury (Settlement)	undetermined	25,000.00

T-6688-69	Chester C. Robbins, Jr. Property Damages (Settlement)	10,000.00	7,000.00
TE-4790-68	Eleanor Ross Personal Injury (Settlement)	85,000.00	7,500.00
TE-4902-68	Frederick Schwartz	188,511.78	72,500.00
T-4903-68	Personal Injury	188,511.78	
TE-4904-68	(Settlement)	130,310.08	
T-4906-68		130,310.08	
T-6655-69	State Automobile & Casualty Underwriters Property Damages (Settlement)	6,080.00	6,000.00
TE-4900-68	K.S. Sun, MD, PC &	12,112.51	4,000.00
T-4901-68	The Travelers Insurance Co. Property Damages & Personal Injury (Settlement)	12,112.51	
TE-4906-68	Elizabeth T. Sun &	1,001,650.81	120,000.00
T-4907-68	1st Federal State Bank Wrongful Death (Settlement)	1,001,650.81	129,000.00
TE-10896-69	Norman Teer Personal Injury (Settlement)	500,000.00	1,100.00
T-767-70	Betty M. & Herbert Warrick Personal Injury (Settlement)	12,724.40	11,000.00
T-9941-69	Harold Willenborg Personal Injury (Judgment)	1,500.00	9,000.00
T-9743-69	Robert Zoerning Personal Injury (Settlement)	2,500,000.00	120,000.00
H-830-69-T	Larry Gene Balster Personal Injury (Settlement)	302,075.00	116,480.82 20,257.53
H-900-69-T	James Henry Beck Personal Injury & Property Damages (Settlement)	150,690.00	25,000.00
H-1270-69-T	Donald Leo Bollig Personal Injury (Settlement)	750,000.00	2,500.00
H-816-69-T	Kevin Clauson Personal Injury (Settlement)	50,000.00	2,000.00
H-1164-69-T	Estate of Ruby Joan Erickson Wrongful Death (Settlement)	500,000.00	10,000.00
H-896-70-T	Michael F. Flannegan Property Damages (Judgment)	40,000.00	12,100.00

H-1204-69-T	Bernard J. Harmeyer, dba Harmeyer Construction Personal Injury & Wrongful Death (Settlement)	1,900,000.00	10,000.00
H-1083-69-T	Katharine Jaquith Property Damages (Settlement)	935.00	550.00
H-1190-69-T	Roscow Loehr, Sr. Admin. Estate of Mildred Loehr	200,000.00	42,000.00
H-1161-69-T	Roscoe Loehr, Sr.	50,850.00	
H-1162-69-T	Roscoe Loehr, Jr. Wrongful Death (Settlement)	75,000.00	
H-1137-69-T	Marilyn L. Martin Property Damages (Judgment)	37,000.00	25,500.00
H-807-68-T	Jerry M. Morrow Personal Injury (Settlement)	50,000.00	2,000.00
H-1055-69-T	Darlene M. Pearson	50,000.00	213,033.23
H-1056-69-T	Virgil S. Pearson Personal Injury (Settlement)	10,000.00	
H-1248-69-T	Raymond C. Rueckert Personal Injury (Settlement)	75,000.00	15,750.00
H-1254-69-T	Estate of Louis Schroeder	undetermined	46,250.00
H-1255-69-T	Clara Schroeder Wrongful Death (Settlement)	undetermined	
H-1218-69-T	Sierner Plumbing & Heating Property Damages (Settlement)	24,219.34	3,000.00
H-674-68-T	Kelly A. Solem Personal Injury (Settlement)	160,000.00	2,000.00
H-075-70-T	DeLane Stenjem Property Damages (Settlement)	2,966.17	1,464.00
H-417-67-T	Janet J. Stroh Personal Injury (Settlement)	180,000.00	24,000.00
H-796-68-T	Ronald Struebin for the Estate of Joel F. Struebin	500,500.00	12,000.00
H-796-68-T	Kathleen S. Potter for the Estate of James K. Potter Property Damages & Wrongful Death (Settlement)	504,643.20	

H-1146-69-T	Kelly Ann Waller, Mary J. Waller & Ronald R. Waller Personal Injury (Settlement)	undetermined	11,008.00
H-737-68-T	Deborah Jean Welch	51,800.00	25,000.00
H-738-68-T	John Phillip Welch Personal Injury & Property Damages (Settlement)	780,000.00	
H-046-70-T	Gerald D. & Patricia Whited Property Damages & Personal Injury (Judgment)	1,927.23	1,927.23

December 27, 1983

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

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

These include 43 claims of a general nature that have been denied by the State Appeal Board during the year 1983.

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

Very truly yours,
RICHARD D. JOHNSON
State Appeal Board

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

OFFICE STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
5729-68-25	Schwans Sales Enterprises, Inc. Marshall, Minnesota Prorate refund.	556.50	Disapproved

5816-68-25	Bluffs Escrow & Appraising Council Bluffs, Iowa Revenue stamp refund.	13.42	Disapproved
6101-68-25	Michael Safranek Winona, Minnesota Outdated claim for maintenance.	340.00	Disapproved
6945-68-25	NCR Corporation St. Paul, Minnesota Outdated invoice for equipment rental.	1,607.54	Disapproved
708-70-25	Eldon Wenger Beaver, Iowa Motor fuel refund.	40.30	Disapproved
818-70-25	Lee Anderson Humaston, Iowa License fee refund.	15.00	Disapproved
833-70-25	Villisca Municipal Power Plant Villisca, Iowa License fee refund.	225.09	Disapproved
846-70-25	Herbert J. Bauer Chariton, Iowa Documentary stamp refund.	26.40	Disapproved
907-70-25	Creighton Health Professions Center Omaha, Nebraska Outdated invoices for services provided to a client of the Department of Social Services.	818.00	Disapproved
926-70-25	Dallas & Mavis Forwarding Co., Inc. South Bend, Indiana Vehicle registration fee refund.	5,478.50	Disapproved
973-70-25	Ambiant Systems, Ltd. Toronto, Ontario, Canada Outdated invoices for shipping charges.	253.70	Disapproved
988-70-25	Bob Tolle Spencer, Iowa Payment for medical fees.	111.00	Disapproved
1014-70-25	J.D. Westhoff Transfer New Vienna, Iowa Vehicle registration refund.	527.58	Disapproved
1015-70-25	Mehmert Tiling, Inc. Lime Springs, Iowa Vehicle registration refund.	95.93	Disapproved
1017-70-25	Cyril A. Ruffcorn Mondamin, Iowa Vehicle license fee refund.	16.00	Disapproved

1030-70-25	Raymond Lewis Watson Montezuma, Iowa Vehicle license fee refund.	40.00	Disapproved
1051-70-25	Joe Minard Construction, Inc. Waterloo, Iowa Revenue stamp refund.	44.96	Disapproved
1073-70-25	Donald E. Witthauer Council Bluffs, Iowa Vehicle registration refund.	undetermined	Disapproved
1077-70-25	Ron Weymiller & Son Trucking New Albin, Iowa Vehicle registration refund.	423.75	Disapproved
1080-70-25	First Assembly of God Church Washington, Iowa Vehicle registration refund.	20.00	Disapproved
1084-70-25	DLT, Inc. Muscatine, Iowa Fuel tax credit refund.	136.33	Disapproved
1085-70-25	Lou Rathjen, dba United Sales & Leasing Ida Grove, Iowa Fuel tax credit refund.	306.98	Disapproved
1086-70-25	Raymond L. Foley Belle Plaine, Iowa Fuel tax refund.	397.70	Disapproved
1095-70-25	Jerry D. Nelson Terril, Iowa Vehicle registration refund.	494.25	Disapproved
1096-70-25	James Arthur Neves APO New York Vehicle registration refund.	undetermined	Disapproved
1106-70-25	Heyl Truck Lines, Inc. Akron, Iowa License fee refund.	788.25	Disapproved
1172-70-25	Butch Thede Lake City, Iowa Vehicle registration refund.	258.97	Disapproved
1215-70-25	Norwest Bank Des Moines National Association Des Moines, Iowa Garnishment.	465.79	Disapproved
1223-70-25	Alan J. Massman West Union, Iowa Storage fee refund.	25.50	Disapproved

1224-70-25	Kenneth D. Benhart Des Moines, Iowa Vehicle registration refund.	117.00	Disapproved
1245-70-25	Daryl M. Baker, dba Baker Truck Line Livermore, Iowa Vehicle license fee refund.	675.24	Disapproved
1255-70-25	Community Opportunities, Inc. Carroll, Iowa Outdated expenses for Health Department contract # 60-166.	1,106.12	Disapproved
1271-70-25	Herbie Kay Nelson Forest City, Iowa License fee refund.	15.75	Disapproved
1355-70-25	Eugene Krabbenhoft Davenport, Iowa Vehicle registration refund.	777.50	Disapproved
1379-70-25	Ahern-Perahing Office Supplies Des Moines, Iowa Outdated billing for office supplies.	113.92	Disapproved
1380-70-25	R. Horach Davenport, Iowa Vehicle registration refund.	5.00	Disapproved
1393-70-25	James R. Van Denover Oelwein, Iowa Watchmaking license refund.	25.00	Disapproved
1402-70-25	Edmund W. Larson Red Oak, Iowa Watchmaking license refund.	25.00	Disapproved
1426-70-25	Palmer J. Moeller Schleswig, Iowa License fee refund.	281.34	Disapproved
1447-70-25	Carl L. Lindblom Iowa City, Iowa Watchmaking license refund.	25.00	Disapproved
1456-70-25	Curt Wahle Wyland McClelland, Iowa License refund.	76.00	Disapproved
1482-70-25	K.L. Kunath Spencer, Iowa Watchmaking license refund.	25.00	Disapproved
1494-70-25	Steven Kunze Crooks, South Dakota License plate refund.	21.00	Disapproved

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 106

Human Resources
Gratias, Chair
Ritsema
Coleman

SENATE FILE 318

Human Resources
Soorholtz, Chair
Hall
Gratias

SENATE FILE 2003

State Government
Slater, Chair
Drake
Welsh

SENATE FILE 2005

Judiciary
Mann, Chair
Gentleman
Horn

SENATE FILE 2009

Judiciary
Mann, Chair
Deluhery
Gentleman

SENATE FILE 2011

Human Resources
Slater, Chair
C. Miller
Briles

SENATE FILE 2014

State Government
Slater, Chair
Drake
Welsh

SENATE FILE 2018

Judiciary
Mann, Chair
Gentleman
Deluhery

SENATE FILE 107

Human Resources
C. Miller, Chair
Gentleman
Coleman

SENATE FILE 2002

Small Business & Economic
Development
Taylor, Chair
Hutchins
Gratias

SENATE FILE 2004

Judiciary
Drake, Chair
Holt
Horn

SENATE FILE 2008

Judiciary
Mann, Chair
Ritsema
Small

SENATE FILE 2010

Judiciary
Gentleman, Chair
Small
Ritsema

SENATE FILE 2012

State Government
Slater, Chair
Bruner
Schwengels

SENATE FILE 2016

State Government
Schwengels, Chair
Briles
Coleman

SENATE FILE 2020

State Government
Coleman, Chair
Slater
Rife

SENATE FILE 2021

Judiciary
Ritsema, Chair
Mann
Small

SENATE FILE 2023

Judiciary
Mann, Chair
Holt
Dieleman

SENATE FILE 2025

State Government
Coleman, Chair
Soorholtz
Welsh

SENATE FILE 2028

State Government
Nystrom, Chair
Bruner
Slater

**SENATE CONCURRENT
RESOLUTION 9**

State Government
Bruner, Chair
Schwengels
Nystrom

HOUSE FILE 363

Local Government
Brown, Chair
Colton
Waldstein

HOUSE FILE 440

Human Resources
Horn, Chair
Carr
Ritsema

HOUSE FILE 624

Ways & Means
Palmer, Chair
Dieleman
Carr
Readinger
Holt

SENATE FILE 2022

State Government
Rife, Chair
Nystrom
Gettings

SENATE FILE 2024

State Government
Carr, Chair
Slater
Briles

SENATE FILE 2026

Judiciary
Mann, Chair
Briles
Welsh

SENATE FILE 2035

Judiciary
Mann, Chair
Doyle
Ritsema

HOUSE FILE 74

Judiciary
Dieleman, Chair
Welsh
Goodwin

HOUSE FILE 425

Local Government
C. Miller, Chair
Waldstein
Brown

HOUSE FILE 555

Energy
Hultman, Chair
Tieden
Brown

HOUSE FILE 658

Ways & Means
Gratias, Chair
Hester
Deluhery

**HOUSE CONCURRENT
RESOLUTION 32**

State Government
Carr, Chair
Coleman
Soorholtz

SSB 2001

Education
Colton, Chair
Gratias
Brown

SSB 2003

Judiciary
Mann, Chair
Doyle
Ritsema

SSB 2005

State Government
Welsh, Chair
Dieleman
Rife

SSB 2007

State Government
Drake, Chair
Slater
Carr

SSB 2009

Judiciary
Ritsema, Chair
Coleman
Drake

SSB 2011

Natural Resources
Schwengels, Chair
Rodgers
Gettings

SSB 2013

Natural Resources
Rodgers, Chair
Schwengels
Gettings

**HOUSE CONCURRENT
RESOLUTION 38**

Education
Ritsema, Chair
Wells
Horn

SSB 2002

Judiciary
Mann, Chair
Horn
Holt

SSB 2004

Judiciary
Mann, Chair
Doyle
Ritsema

SSB 2006

State Government
Drake, Chair
Slater
Carr

SSB 2008

Judiciary
Mann, Chair
Deluhery
Gentleman

SSB 2010

Judiciary
Ritsema, Chair
Small
Horn

SSB 2012

Natural Resources
Schwengels, Chair
Rodgers
Gettings

SSB 2014

Natural Resources
Rodgers, Chair
Schwengels
Gettings

SSB 2015

Natural Resources
Rodgers, Chair
Schwengels
Gettings

SSB 2017

Human Resources
Hall, Chair
Slater
Briles

SSB 2019

Human Resources
Carr, Chair
Gratias
Horn

SSB 2016

Human Resources
Mann, Chair
Horn
Ritsema

SSB 2018

Human Resources
Gentleman, Chair
Carr
Gratias

SSB 2021

State Government
Soorholtz, Chair
Dieleman
Briles

The following permanent subcommittee on Sentencing was appointed by Senator Doyle, Chairman of the Judiciary Committee:

Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

The following permanent subcommittee on Comparative Negligence was appointed by Senator Doyle, Chairman of the Judiciary Committee:

Doyle, Chair
Dieleman
Horn
Small
Drake
Briles
Gentleman
Mann
Ritsema

CERTIFICATE OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificate of recognition has been issued as follows:

City of Ute, Iowa — Observance of their centennial June 28, 29 and 30, 1984. Senator Doyle. (January 12, 1984.)

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointments to state boards and commissions to standing committees as indicated for investigation on January 11, 1984:

Timothy D. Neville—Board of Regents—Appropriations

Mary B. Haldane—Higher Education Loan Authority—Education

Thomas R. Eller—Parole Board—Judiciary

State Racing Commission—Judiciary

Steven Sovern

Lawrence F. Scalise

L.C. Pike

Lavonne Mydland

Dr. Sally Brown Prickett

James A. McClimon—Public Employment Relations Board—Labor

Small Business Advisory Council—Small Business & Economic Development

Jim D. Bixler

Connie Wimer

Gloria M. Thomas

Joan B. Poe

Eugene H. Philip

Arden L. Kiefer

Robert M. Kreamer

Doris A. Hansen

Darlene J. Coomes

Larry D. Clement

Richard S. Burchett

Iowa Product Development Corporation—Small Business & Economic Development

Theodore K. Watson

Florine Swanson

Donald D. Gingerich

Karla J. Fultz

Daniel K. Dittmore

A. Arthur Davis

M.J. Arts

Iowa High Technology Council—Small Business & Economic Development

David H. Swanson

Donald P. Rowen

Becky S. Richardson

Rex Montgomery

Thomas A. Mefford

Robert D. Looft

Donna Keppy

Charles E. Gifford
Judy K. Fitzgibbon
James L. Churchill
Joseph A. Borgen
Varel G. Bailey
Gloria B. Fish

Jobs Commission—Small Business & Economic Development

Ronald H. Schectman
Beatrice A. Houston
Lyle A. Hellyer
Norma J. Harmison
David L. Charles

Jack C. Bailey—Director, Iowa Development Commission—Small Business & Economic Development

Russell H. Watt—Commission for the Blind—State Government
Harold Farrier—Director, Department of Corrections—State Government
Board of Corrections—State Government

Donald O. Vold
Yvonne M. Schildberg
Jack Paschall
Harold C. McCormick
Michael W. Mahaffey
Billie D. Lloyd
Gary L. Baugher

Tax Study—Ways and Means

Robert N. Houser
Roger J. Shaff
Thomas A. Loudon
Mary E. Chalupsky
Gregory M. Brown

SECOND CONFERENCE COMMITTEE REPORT RECEIVED
(House File 359)

A second conference committee report signed by the following Senate and the House members was filed January 12, 1984, on House File 359, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities:

On the Part of the Senate

C.W. BILL HUTCHINS, Chair
ALVIN V. MILLER
ARNE WALDSTEIN
RICHARD VANDE HOEF

On the Part, of the House

JAMES D. O'KANE, Chair
FLORENCE BUHR
DORIS PEICK
ROBERT GRANDIA
BOB RENKEN

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following appointments to state boards and commissions on the En Bloc Confirmation Calendar on January 12, 1984:

H. Idris Thomas—Credit Union Review Board
 Phyllis K. Osborn—Mental Health & Mental Retardation Commission
 Ann Tank—State Board of Examiners for Nursing Home Administrators
 Sam Grabarski—Director, Iowa State Arts Council
 Marjorie M. Matzen—State Board of Nursing Examiners
 Kim D. Schmelt—Job Service Appeal Board
 William L. Krah—State Comptroller
 Dean K. Albrecht—City Finance Committee
 Lois G. Campbell—State Board of Physical & Occupational Therapy
 Examiners
 James L. Tweeten—State Board of Examiners for Nursing Home Administrators
 Mary L. Leonard—Mental Health & Mental Retardation Commission
 Cornelia V. Hoy—State Board of Psychology Examiners
 Dorothy Beck Sheil—Board of Landscape Architectural Examiners
 Ronald S. Niemann—Board of Landscape Architectural Examiners
 Karl A. Nelson—Iowa State Civil Rights Commission
 Paul M. Hasvold—Council on Human Services

LOWELL L. JUNKINS, Chair

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2046	State Government
S. F.	2047	Ways and Means
S. F.	2048	Ways and Means
S. F.	2049	Ways and Means
S. F.	2050	Local Government
S. F.	2051	Ways and Means
S. F.	2052	Judiciary
S. F.	2053	Small Business & Economic Development
S. F.	2054	Judiciary
S. F.	2055	Judiciary

STUDY BILLS RECEIVED**S.S.B. 2022 Judiciary**

An act relating to the definition of burglary and attempted burglary.

S.S.B. 2023 Judiciary

An act relating to the waiver of presentence investigations for class "B", "C", and "D" felonies.

S.S.B. 2024 Judiciary

An act relating to the penalty for theft by a check written on insufficient funds and providing a penalty.

S.S.B. 2025 Judiciary

An act relating to the treatment of persons on work release at the university hospitals.

S.S.B. 2026 Judiciary

An act extending the time for the board of directors of judicial district department of correctional services to file its annual report.

S.S.B. 2027 Judiciary

An act relating to the appeal of orders of hearing officers.

S.S.B. 2028 Judiciary

An act relating to the counties' duty to comply with state requests for temporary confinement of alleged violators of conditions of work release and parole.

S.S.B. 2029 Judiciary

An act relating to home work release.

S.S.B. 2030 Judiciary

An act relating to the violation of probation and providing a penalty.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5013 to Senate File 476 was adopted by the Senate on January 12, 1984.

BOB CARR

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5013 to Senate File 476 was adopted by the Senate on January 12, 1984.

C.W. BILL HUTCHINS

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5018 to Senate File 476 was adopted by the Senate on January 12, 1984.

TED ANDERSON

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convend: January 11, 1984, 1:30 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Hutchins, Vande Hoef, Gallagher (arrived 1:36 p.m.), Taylor, Waldstein, Husak and A. Miller.

Members Absent: none.

Other Committee Business: Reassigned 1983 bills to same subcommittees.

Adjourned: 2:21 p.m.

HUMAN RESOURCES

Convened: January 11, 1984, 2:34 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Gratias, Hall, Horn, Soorholtz, Mann, Ritsema and Slater.

Members Absent: none.

Other Committee Business: Reassigned and assigned bills to subcommittees; Norman Pawlewski, Health Commissioner, discussed legislation proposed by the health department.

Adjourned: 3:35 p.m.

NATURAL RESOURCES

Convened: January 11, 1984, 8:31 a.m.

Members Present: Van Gilst, Chair; Schwengels, Ranking Member; Doyle, Gettings, Goodwin, Hall, Hester and Priebe.

Members Absent: Rodgers, Vice Chair (excused) and Rife.

Other Committee Business: Reassigned 1983 bills to previous subcommittees and assigned 1984 SSBs to subcommittees.

Adjourned: 8:46 p.m.

WAYS AND MEANS

Convened: January 12, 1984, 2:00 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown (arrived 2:09 p.m.), Carr, Dieleman, Gratias, Hester, Holt, Soorholtz, Readinger, Rodgers, Small (arrived 2:07 p.m.) and Van Gilst.

Members Absent: Deluhery.

Final Bill Action: SENATE FILE 2045, a bill for an act to increase the membership of the tax study committee from nine to eleven members.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Husak, Brown, Carr, Dieleman, Gratias, Hester, Holt, Soorholtz, Readinger, Rodgers, Small and Van Gilst. Nays, 1: Holden. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 658, a bill for an act relating to the direct deposits of revenue and special assessments collected by the county treasurer.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Holden, Brown, Carr, Dieleman, Gratias, Hester, Holt, Soorholtz, Readinger, Rodgers, Small and Van Gilst. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Appointed subcommittee for appointees to state boards and commissions.

Adjourned: 2:15 p.m.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 60, the following Senators were appointed to subcommittees of standing committees:

JUDICIARY: As a member of the Iowa Board of Parole:

THOMAS R. ELLER
Goodwin, Chair
Mann
Holt

JUDICIARY: As members of the State Racing Commission:

LAVONNE MYDLAND
L.C. PIKE
DR. SALLY BROWN PRICKETT
LAWRENCE F. SCALISE
STEVE SOVERN
Doyle, Chair
Mann
Horn
Ritsema
Drake

LABOR AND INDUSTRIAL RELATIONS: As a member of the Public Employment Relations Board:

JAMES A. McCLIMON
Gettings, Chair
Vande Hoef
Wells

SMALL BUSINESS & ECONOMIC DEVELOPMENT: As Director of the Iowa Development Commission:

JACK C. BAILEY
Hutchins, Chair
Doyle
Gratias

SMALL BUSINESS & ECONOMIC DEVELOPMENT: As members of the Iowa
High Technology Council:

VAREL G. BAILEY

GLORIA B. FISH

Doyle, Chair

Taylor

Hutchins

JOSEPH A. BORGEN

Mann, Chair

Rodgers

Gratias

JAMES L. CHURCHILL

Hulse, Chair

Anderson

Lind

JUDY K. FITZGIBBON

Readinger, Chair

Rodgers

Gratias

CHARLES E. GIFFORD

DONALD P. ROWEN

Rodgers, Chair

Anderson

Taylor

DONNA KEPPEY

Hulse, Chair

Taylor

Gratias

ROBERT D. LOOFT

THOMAS A. MEFFORD

Gratias, Chair

Taylor

Hutchins

REX MONTGOMERY

BECKY S. RICHARDSON

Hulse, Chair

Taylor

Lind

DAVID H. SWANSON

Taylor, Chair

Gratias

Miller, A.V.

SMALL BUSINESS & ECONOMIC DEVELOPMENT: As members of the Iowa
Product Development Corporation:

M. J. ARTS

Doyle, Chair

Gratias

Taylor

A. ARTHUR DAVIS

Readinger, Chair

Mann

Rodgers

DANIEL K. DITTEMORE

Anderson, Chair

Hulse

Lind

KARLA J. FULTZ

Mann, Chair

Readinger

Taylor

DONALD D. GINGERICH

THEODORE K. WATSON

Hulse, Chair

Lind

Anderson

FLORINE SWANSON

Gratias, Chair

Taylor

Hutchins

SMALL BUSINESS & ECONOMIC DEVELOPMENT: As members of the Jobs
Commission:

DAVID L. CHARLES

Readinger, Chair

Rodgers

Mann

NORMA J. HARMISON

Rodgers, Chair

Mann

Readinger

LYLE A. HELLYER

Anderson, Chair

Lind

Hulse

BEATRICE A. HUSTON

Hulse, Chair

Anderson

Lind

RONALD H. SCHECTMAN

Hutchins, Chair

Gratias

Doyle

**SMALL BUSINESS & ECONOMIC DEVELOPMENT: As members of the
Small Business Advisory Council:****JIM D. BIXLER**

Doyle, Chair

Mann

Taylor

RICHARD S. BURCHETT**LARRY D. CLEMENT****ARDAN L. KIEFER**

Miller, A.V., Chair

Gratias

Taylor

DARLENE J. COOMES

Anderson, Chair

Lind

Hulse

DORIS A. HANSEN

Doyle, Chair

Gratias

Taylor

ROBERT M. KREAMER**CONNIE WIMER**

Rodgers, Chair

Readinger

Mann

EUGENE H. PHILIP

Gratias, Chair

Taylor

Hutchins

JOAN B. POE

Hulse, Chair

Anderson

Lind

GLORIA M. THOMAS

Lind, Chair

Taylor

Mann

STATE GOVERNMENT: Commission for the Blind:

RUSSELL H. WATT

Soorholtz, Chair

Dieleman

Nystrom

STATE GOVERNMENT: As Director of the Board of Corrections:

HAROLD FARRIER

Carr, Chair

Slater

Drake

STATE GOVERNMENT: As members of the Board of Corrections:

GARY L. BAUGHER

BILLIE D. LLOYD

MICHAEL W. MAHAFFEY

HAROLD C. McCORMICK

JACK PASCHALL

YVONNE M. SCHILDBERG

DONALD O. VOLD

Drake, Chair

Slater

Carr

WAYS AND MEANS: As members of the Tax Study Committee:

GREGORY M. BROWN

MARY E. CHALUPSKY

ROBERT N. HOUSER

THOMAS A. LOUDEN

ROGER J. SHAFF

Rodgers, Chair

Readinger

Gratias

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ronald McHose, M.D., resident at Iowa Lutheran Hospital, Des Moines, Iowa.

PRESENTATION OF VISITORS

President Anderson welcomed Sipo Mzimela, exiled Episcopal priest from South Africa; Betsy Landis, retired member of the U.N. Council on Namibia; and Jerry Herman, National Coordinator of Southern Africa Programs for American Friends Service Committee, Philadelphia, who were present in the Senate chamber.

AMENDMENTS FILED

S-5008	S. R.	101	Calvin O. Hultman C. Joseph Coleman
S-5009	S. R.	101	Calvin O. Hultman C. Joseph Coleman
S-5010	S. F.	253	Douglas Ritsema
S-5011	S. F.	253	Douglas Ritsema
S-5012	S. F.	476	Arthur L. Gratias
S-5013	S. F.	476	John W. Jensen
S-5014	S. R.	101	Calvin O. Hultman C. Joseph Coleman
S-5015	S. F.	476	Arthur A. Small, Jr. C.W. Bill Hutchins
S-5016	S. F.	476	Arthur A. Small, Jr.
S-5017	S. F.	476	Tom Mann, Jr.
S-5018	S. F.	476	Arthur A. Small, Jr.
S-5019	S. F.	476	C.W. Bill Hutchins

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:35 p.m., until 10:00 a.m., Monday, January 16, 1984.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 16, 1984

The Senate met in regular session at 10:15 a.m., President Anderson presiding.

Prayer was offered by the Reverend Everett Lanning, Simpson College, Indianola, Iowa.

The Journal of Thursday, January 12, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gentleman for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2058, by Lind, a bill for an act relating to teacher performance.

Read first time and passed on file.

Senate File 2059, by Doyle, Mann and Drake, a bill for an act relating to the authority of a standing committee of the general assembly to call upon a state agency or political subdivision for assistance and information.

Read first time and passed on file.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 451

On motion of Senator Goodwin, Senate File 451, a bill for an act relating to enforcement of license discipline by the board of medical examiners, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 451) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Welsh			

Nays, none.

Absent or not voting, 5:

Gentleman	Holden	Jenkins	Small
Wells			

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

Senate File 480

On motion of Senator Doyle, Senate File 480, a bill for an act relating to jurisdiction of the district court in the possible reconsideration of a felon's or misdemeanant's sentence, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, 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, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher

Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readerger	Rife	Ritsema
Rodgers	Schwengels	Slater	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gentleman	Mann	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 Junkins asked and received unanimous consent to take up out of order Senate File 309.

Senate File 309

On motion of Senator Priebe, Senate File 309, a bill for an act relating to the distance a person without an operator's license may move a farm tractor or implement of husbandry to farmland for conducting farm operations, with report of committee recommending passage, was taken up for consideration.

President pro tempore Miller took the chair at 10:45 a.m.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

'President Anderson took the chair at 11:14 a.m.

On the question "Shall the bill pass?" (S.F. 309) the vote was:

Ayes, 33:

Briles	Bruner	Coleman	Colton
Dieleman	Doyle	Gettings	Gratias
Hall	Hester	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readerger	Rodgers

Schwengels
Vande Hoef
Welsh

Slater
Van Gilst

Soorholtz
Waldstein

Taylor
Wells

Nays, 16:

Anderson
Drake
Holt
Rife

Brown
Gallagher
Kinley
Ritsema

Carr
Goodwin
Mann
Small

Deluhery
Holden
Nystrom
Tieden

Absent or not voting, 1:

Gentleman

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

Senate File 449

On motion of Senator Miller of Des Moines, Senate File 449, a bill for an act relating to licensing private investigative agencies and private security agencies, and providing a penalty, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—3272 filed by him on March 21, 1983, to pages 2, 7 and 8 of the bill and moved its adoption.

Amendment S—3272 was adopted by a voice vote.

Senator Miller of Des Moines offered amendment S—3473 filed by him on April 8, 1983, to page 2 of the bill and moved its adoption.

Amendment S—3473 was adopted by a voice vote.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 49:

Anderson
Carr
Dieleman
Gettings

Briles
Coleman
Doyle
Goodwin

Brown
Colton
Drake
Gratias

Bruner
Deluhery
Gallagher
Hall

Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Gentleman

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

Senate File 253

On motion of Senator Priebe, Senate File 253, a bill for an act relating to qualifications for and exemptions from juror service, with report of committee recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—5004 filed by him on January 11, 1984, to strike everything after the enacting clause of the bill.

Senator Ritsema offered amendment S—5010 filed by him on January 12, 1984, to page 3 of amendment S—5004 and called for a division: line 2 as division S—5010A and lines 3 through 11 as division S—5010B.

Senator Ritsema moved the adoption of division S—5010A to amendment S—5004, which motion prevailed by a voice vote.

Senator Ritsema moved the adoption of division S—5010B to amendment S—5004, which motion prevailed by a voice vote.

Senator Priebe moved the adoption of amendment S—5004 as amended, which motion prevailed by a voice vote.

Senator Ritsema withdrew amendment S—5011 filed by him on January 12, 1984, to page 4 of the bill.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 253) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Gentleman

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

Senate File 442

On motion of Senator Coleman, Senate File 442, a bill for an act relating to access to library records by criminal justice agencies, was taken up for consideration.

Senator Coleman withdrew amendment S—3337 filed by him on March 24, 1983, to strike everything after the enacting clause of the bill.

Senator Coleman offered amendment S—3425 filed by him on April 5, 1983, to page 1 of the bill and moved its adoption.

Amendment S—3425 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 442) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Gallagher

Absent or not voting, 2:

Gentleman Horn

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2045.

Senate File 2045

On motion of Senator Rodgers, Senate File 2045, a bill for an act to increase the membership of the tax study committee from nine to eleven members, with report of committee recommending passage, was taken up for consideration.

Senator Rodgers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2045) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gettings
Gratias	Hall	Hester	Holt
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 7:

Gallagher	Goodwin	Holden	Hulse
Jensen	Readinger	Ritsema	

Absent or not voting, 1:

Gentleman

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

Senator Junkins asked and received unanimous consent that Senate File 2045 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 2060, by Priebe, a bill for an act relating to the references to "voters" in regard to school district boundary petitions.

Read first time and passed on file.

Senate File 2061, by Priebe, a bill for an act relating to the establishment of a farm drought loan program by the Iowa family farm development authority, allowing the authority to issue its bonds and notes for the program, and making coordinating amendments.

Read first time and passed on file.

Senate File 2062, by Priebe, a bill for an act relating to the control or eradication of the multiflora rose and making an appropriation.

Read first time and passed on file.

Senate File 2063, by Bruner, a bill for an act relating to the Iowa product development corporation Act.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:55 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:45 p.m., Senator Rife presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

President Anderson took the chair at 1:52 p.m.

UNFINISHED BUSINESS

(Pending January 12, 1984)

Senate File 476

The Senate resumed consideration of Senate File 476, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, division S—5003C by Senator Small to page 3 of the bill, amendment S—5017 by Senator Mann to page 1 of the bill and amendment S—5019 by Senators Hutchins to page 2 of the bill, pending on January 12, 1984.

Senator Small 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—5003A to Senate File 476 was adopted by the Senate on January 12, 1984.

The motion prevailed by a voice vote and division S—5003A to page 2 of the bill was taken up for reconsideration.

Senator Small asked and received unanimous consent that action on division S—5003A be deferred.

Senator Small 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—5018 to Senate File 476 was adopted by the Senate on January 12, 1984.

The motion prevailed by a voice vote and amendment S—5018 by Senator Small to page 2 of the bill, was taken up for reconsideration.

Senator Small asked and received unanimous consent that action on amendment S—5018 be deferred.

Senator Small 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—5016 to Senate File 476 was adopted by the Senate on January 12, 1984.

The motion prevailed by a voice vote and amendment S—5016 by Senator Small to page 2 of the bill, was taken up for reconsideration.

Senator Small asked and received unanimous consent that action on amendment S—5016 be deferred.

Senator Jensen withdrew amendment S—5020 filed by him from the floor to page 1 of the bill.

Senator Small offered amendment S—5027 filed by Senators Small and Anderson from the floor to pages 2 and 3 of the bill.

Senator Hultman offered amendment S—5029 filed by him from the floor to amendment S—5027, moved its adoption and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 27.

Amendment S—5029 lost.

Senator Hultman offered amendment S—5030 filed by him from the floor to amendment S—5027, moved its adoption and requested a non record roll call.

The ayes were 18, nays 31.

Amendment S—5030 lost.

Senator Jensen offered amendment S—5028 filed by him from the floor to amendment S—5027 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5028 to amendment S—5027 be adopted?" (S.F. 476) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 9:

Briles	Goodwin	Hester	Holden
Hultman	Jensen	Soorholtz	Vande Hoef
Waldstein			

Nays, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Gratias	Hall	Holt	Horn
Hulse	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Tieden
Van Gilst	Wells	Welsh	

Absent or not voting, 2:

Gentleman	Taylor
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Amendment S—5028 lost.

Senator Hultman offered amendment S—5031 filed by him from the floor to amendment S—5027, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5031 be adopted?" (S.F. 476) the vote was:

Ayes, 17:

Drake	Goodwin	Gratias	Hester
Holden	Holt	Hulse	Hultman
Jensen	Lind	Rife	Ritsema
Schwengels	Soorholtz	Taylor	Vande Hoef
Waldstein			

Nays, 31:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Slater	Small	Tieden
Van Gilst	Wells	Welsh	

Absent or not voting, 2:

Briles. Gentleman

Amendment S—5031 lost.

Senator Small moved the adoption of amendment S—5027, which motion prevailed by a voice vote.

With the adoption of amendment S—5027, the Chair ruled the following amendments out of order:

S—3373 filed by Senator Hultman on March 28, 1983, to page 3 of the bill.

S—3795 filed by Senator Colton on May 4, 1983, to page 3 of the bill.

Division S—5003A by Senator Small to page 2 of the bill, previously deferred.

Division S—5003C by Senator Small to page 3 of the bill, deferred on January 12, 1984.

S—5015 filed by Senators Small and Hutchins on January 12, 1984, to page 3 of the bill.

S—5016 by Senator Small to page 2 of the bill, previously deferred.

S—5018 by Senator Small to page 2 of the bill, previously deferred.

S—5019 by Senator Hutchins to page 2 of the bill, deferred on January 12, 1984.

S—5021 filed by Senator Jensen from the floor to page 2 of the bill.

S—5022 filed by Senator Hultman from the floor to page 2 of the bill.

S—5023 filed by Senator Hultman from the floor to pages 2 and 3 of the bill.

S—5024 filed by Senator Hultman from the floor to page 2 of the bill.

S—5025 filed by Senator Hultman from the floor to page 2 of the bill.

Senator Hultman offered amendment S—5026 filed by him from the floor to page 3 of the bill, moved it adoption and requested a record roll call.

On the question "Shall amendment S—5026 be adopted?" (S.F. 476) the vote was:

Ayes, 19:

Briles	Dieleman	Goodwin	Gratias
Hester	Holt	Hulse	Hultman
Husak	Jensen	Lind	Nystrom
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	

Nays, 26:

Anderson	Brown	Bruner	Carr
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Coleman	Colton	Deluhery	Doyle
Drake	Gettings	Hall	Horn
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Slater	Small	Van Gilst
Wells	Welsh		

Absent or not voting, 5:

Gallagher	Gentleman	Holden	Rodgers
Waldstein			

Amendment S—5026 lost.

Senator Hultman offered amendment S—5001 filed by him on January 10, 1984, to page 3 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5001 be adopted?" (S.F. 476) the vote was:

Ayes, 20:

Briles	Drake	Goodwin	Gratias
Hester	Holt	Hulse	Hultman
Husak	Jensen	Lind	Nystrom
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Absent or not voting, 2:

Gentleman	Holden
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Amendment S—5001 lost.

Senator Brown withdrew amendment S—5006 filed by him on January 11, 1984, to page 3 of the bill.

The Senate resumed consideration of amendment S—5017 by Senator Mann to page 1 of the bill, deferred on January 12, 1984.

Senator Mann moved the adoption of amendment S—5017, which motion prevailed by a voice vote.

Senator Carr called up the motion to reconsider the vote by which amendment S—5013 was adopted by the Senate on January 12, 1984, filed by him on January 12, 1984, found on page 100 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. 476) the vote was:

Ayes, 29:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gettings	Horn
Hutchins	Junkins	Kinley	Mann
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Van Gilst	Wells
Welsh			

Nays, 16:

Briles	Dieleman	Goodwin	Gratias
Hall	Hester	Holt	Hulse
Hultman	Jensen	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 5:

Gentleman	Holden	Husak	Lind
Miller, A.V.			

The motion prevailed and amendment S—5013 by Senator Jensen to page 1 of the bill, was taken up for reconsideration.

Senator Jensen moved the adoption of amendment S—5013.

A record roll call was requested.

On the question "Shall amendment S—5013 be adopted?" (S.F. 476) the vote was:

Ayes, 19:

Briles	Dieleman	Goodwin	Gratias
Hall	Hester	Holt	Hulse
Hultman	Jensen	Miller, A.V.	Priebe
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 27:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gettings	Horn
Hutchins	Junkins	Kinley	Mann
Miller, C.P.	Nystrom	Palmer	Readinger
Rife	Rodgers	Slater	Small
Van Gilst	Wells	Welsh	

Absent or not voting, 4:

Gentleman	Holden	Husak	Lind
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Amendment S—5013 lost.

The Chair ruled the motion to reconsider the vote by which amendment S—5013 to Senate File 476 was adopted by the Senate on January 12, 1984, filed by Senator Hutchins on January 12, 1984, and found on page 100 of the Senate Journal, out of order.

The Chair ruled the motion to reconsider the vote by which amendment S—5018 to Senate File 476 was adopted by the Senate on January 12, 1984, filed by Senator Anderson on January 12, 1984, and found on page 100 of the Senate Journal, out of order.

Senator Slater 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—3371 to Senate File 476 failed to be adopted by the Senate on January 12, 1984.

The motion prevailed by voice vote and amendment S—3371 by Senator Hultman to page 1 of the bill, was taken up for reconsideration.

Senator Hultman moved the adoption of amendment S—3371, which motion prevailed by a voice vote.

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

The Senate resumed session, President Anderson presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

BUSINESS PENDING

The Senate resumed consideration of Senate File 476.

Senator Brown offered amendment S—5032 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—5032 be adopted?" (S.F. 476) the vote was:

Ayes, none.

Nays, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Welsh	

Absent or not voting, 3:

Gentleman	Holden	Waldstein
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Amendment S—5032 lost.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 476) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Gallagher
Gettings	Horn	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Readinger	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Nays, 24:

Anderson	Briles	Dieleman	Drake
Goodwin	Gratias	Hall	Hester
Holt	Hulse	Hultman	Husak
Jensen	Lind	Nystrom	Priebe
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 2:

Gentleman Holden

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 476 failed to pass the Senate on January 16, 1984.

TED ANDERSON

INTRODUCTION OF BILL

Senate Joint Resolution 2002, by Schwengels, Van Gilst, Dieleman, Husak and Tieden, a joint resolution proposing the formation of an organization for the purpose of initiating restoration projects for the Iowa state capitol.

Read first time and passed on file.

-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 January 16, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 586, a bill for an act relating to restricting the motor vehicle operating privileges of an individual required to show proof of financial responsibility and providing a penalty.

This bill was read first time and **passed on file.**

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on rules and administration submits the following Pages with their pay classification:

Jill Ainslie	S-O	Minimum Wage
Sarah Clark	S-O	Minimum Wage
Candi Cline	S-O	Minimum Wage
Joan Denton	S-O	Minimum Wage
Kimberly Didier	S-O	Minimum Wage
M. Blair Dunn	S-O	Minimum Wage
Cynthia Ellison	S-O	Minimum Wage
John Gurney	S-O	Minimum Wage
Elizabeth Kinley	S-O	Minimum Wage
Bryan Kischer	S-O	Minimum Wage
Mark Kladio	S-O	Minimum Wage
Pam Meier	S-O	Minimum Wage
Timothy Oswald	S-O	Minimum Wage
Julie Parsons	S-O	Minimum Wage
Kelly Sondag	S-O	Minimum Wage

LOWELL L. JUNKINS, Chair

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2056	Ways and Means
S. F.	2057	Judiciary
S. C. R.	102	Human Resources

STUDY BILLS RECEIVED

S.S.B. 2031 Judiciary

An act relating to the visitation rights of a grandparent.

S.S.B. 2032 Judiciary

An act establishing comparative negligence as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property.

S.S.B. 2033 Judiciary

An act establishing comparative negligence as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property.

S.S.B. 2034 Judiciary

An act establishing comparative negligence as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property.

S.S.B. 2035 Judiciary

An act establishing comparative negligence as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property.

S.S.B. 2036 Judiciary

An act relating to the protection of lienholders' and certificate holders' advancements.

S.S.B. 2037 Natural Resources

An act directing the surplus moneys of the state racing commission to be deposited in the state conservation fund and specifying the uses of the moneys.

S.S.B. 2038 Natural Resources

An act relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund.

S.S.B. 2039 Natural Resources

An act to create on "Outdoor Iowa Program" within the state conservation commission.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH**

Convened: January 12, 1984, 10:10 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member and Hulse.

Members Absent: Mann.

Other Committee Business: Debbie Westvold, LFB, distributed "Agency Response to 2.8% Reduction" and also FY 84 "Governor's Recommendations on Capital Project Adjustments;" Paul Grossheim, Deputy Director of Corrections, was present for questions.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 11, 1984, 10:15 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Reviewed last year's budget reductions.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 12, 1984, 10:15 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: Presentation on Governor's 1984 proposed budget modifications; brief discussion of Governor's 1985 budget; and Department of Social Services' recommendations on supplemental budget.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 12, 1984, 10:16 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair (arrived 10:20 a.m.); Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: none.

Other Committee Business: Dennis Prouty, Director of the Legislative Fiscal Bureau, reported on the effects of the 2.8% budget cut from the 1984 fiscal budget.

Adjourned: 10:33 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: January 12, 1984, 1:30 p.m.

Members Present: Husak, Chair, Taylor, Ranking Member; Gratas, Hulse, Hutchins, Lind, A. Miller, Readinger and Rodgers.

Members Absent: Doyle, Vice Chair; Mann and Anderson (all excused.)

Other Committee Business: Assigned bills to subcommittees and appointed subcommittees to investigate Governor's appointees.

Adjourned: 1:40 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Harold Moessner, M.D. Des Moines, Iowa.

PETITION

The following petition was presented and placed on file by:

Senator Horn from five hundred and twenty-nine residents of Iowa favoring legislation providing for early retirement under the Iowa public employees' retirement system without a reduction in the monthly retirement allowance during the fiscal year beginning July 1, 1983.

AMENDMENTS FILED

S-5020	S. F.	476	John W. Jensen
S-5021	S. F.	476	John W. Jensen
S-5022	S. F.	476	Calvin O. Hultman
S-5023	S. F.	476	Calvin O. Hultman
S-5024	S. F.	476	Calvin O. Hultman
S-5025	S. F.	476	Calvin O. Hultman
S-5026	S. F.	476	Calvin O. Hultman

S-5027	S. F.	476	Arthur A. Small, Jr Ted Anderson
S-5028	S. F.	476	John W. Jensen
S-5029	S. F.	476	Calvin O. Hultman
S-5030	S. F.	476	Calvin O. Hultman
S-5031	S. F.	476	Calvin O. Hultman
S-5032	S. F.	476	Joe Brown

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:05 p.m., until 9:00 a.m., Tuesday, January 17, 1984.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 17, 1984

The Senate met in regular session at 9:15 a.m., President pro tempore Miller presiding.

Prayer was offered by the Reverend Clifford Isaacson, pastor of the First United Methodist Church, Algona, Iowa.

The Journal of Monday, January 16, 1984, was approved.

INTRODUCTION OF BILLS

Senate File 2064, by Hall, a bill for an act relating to driver's license revocations of persons who have been convicted of a violation of section 321.281.

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

Senate File 2065, by Schwengels, a bill for an act authorizing a property tax levy for ambulance service.

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

APPOINTMENT OF SENATE OFFICERS AND EMPLOYEES

Senator Junkins asked and received unanimous consent to take up the following supplemental report of the committee on Rules and Administration:

MR. PRESIDENT: Your committee on rules and administration begs leave to submit a supplemental report for the permanent officers and employees of the Senate for the 1984 Session of the Seventieth General Assembly:

Research Analyst, Majority Caucus.....	Mike Heller
Administrative Assistant to Senator Small.....	Peter McNabb

LOWELL L. JUNKINS, Chair

OATHS OF OFFICE

Pursuant to the supplemental report of the committee on Rules and Administration adopted on January 17, 1984, pertaining to the permanent officers and employees of the Senate, Mike Heller and Peter McNabb appeared before the bar of the Senate and were duly sworn to their oaths of office.

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 102, duly adopted, the Senate proceeded to the House under the direction of the Parliamentarian and the Sergeant-at-arms.

JOINT CONVENTION

(Capitol Centennial Commemoration)

In accordance with law and House Concurrent Resolution 102, duly adopted, the joint convention was called to order at 9:30 a.m., President pro tempore Miller presiding.

President pro tempore Miller declared a quorum present.

Representative Connors asked and received unanimous consent to take up the following Extraordinary Resolution for consideration.

EXTRAORDINARY RESOLUTION

By: House members Anderson, Arnould, Avenson, Baxter, Bennett, Black, Blanshal, Brammer, Branstad, Buhr, Carl, Carpenter, Carter, Chapman, Chiodo, Clark, Cochran, Connolly, Connors, Cooper, Copenhaver, Corey, Daggett, David, De Groot, Diemer, Doderer, Fey, Fogarty, Grandia, Groninga, Gronstal, Groth, Gruhn, R.N. Halvorson, R.A. Halvorson, Hammond, Handorf, Hanson, Harbor, Haverland, Hermann, Hoffman-Bright, Holveck, Hughes, Hummel, Jay, Jochum, Knapp, Koenigs, Krewson, Lageschulte, Lloyd-Jones, Loneragan, Maulsby, McIntee, McKean, Menke, Miller, Muhlbauer, Mullins, Norland, O'Kane, Ollie, Osterberg, Oxley, Parker, Paulin, Pavich, Peick, Pellett, Poncy, Renaud, Renken, Rensink, Rosenberg, Royer, Running, Schekloth, Schroeder, Sherzan, Shoultz, Skow, Spear, Stromer, Stueland, Sturgeon, Sullivan, Swartz, Swearingen, Tabor, Tofte, Torrence, Van Camp, Van Gerpen, Van Maanen, Varn, Welden, Woods, Zimmerman

Senate Members: Anderson, Briles, Brown, Bruner, Carr, Coleman, Colton, Deluhery, Dieleman, Doyle, Drake, Gallagher, Gentleman, Gettings, Goodwin, Gratiyas, Hall, Hester, Holden, Holt, Horn, Hulse, Hultman, Husak, Hutchins, Jensen, Junkins, Kinley, Lind, Mann, A. Miller, C. Miller, Nystrom, Palmer, Priebe, Readinger, Rife, Ritsema, Rodgers, Schwengels, Slater, Small, Soorholtz, Taylor, Tieden, Vande Hoef, Van Gilst, Waldstein, Wells, Welsh

WHEREAS, the Seventieth General Assembly has retraced the steps of our predecessors of the 20th General Assembly, and

WHEREAS, in so doing we herewith open a second century of deliberations within this great Statehouse, and

WHEREAS, through accident of time and the elect of our suffrage, we one-hundred-fifty men and women speak with the voices of 3,193 senators and representatives who have shared the legacy of its vast and durable walls for one-hundred years, and

WHEREAS, each of us has rejoiced in entering these halls and chambers to conduct our deliberations, and

WHEREAS, our predecessors, convened in this chamber on January 17, 1884, prayed with hope and confidence that future generations would, in their words, "recall and celebrate the wisdom and virtues of their ancestors who in the nineteenth century erected and occupied this solid mansion of the state," NOW, THEREFORE,

BE IT RESOLVED, that the 70th General Assembly meets today to recall that first prayer beneath these domes, and to celebrate the wisdom of all of our antecedent colleagues whose virtue was to build for the future with a vision of what Iowa would do and of what Iowa would become, and

BE IT FURTHER RESOLVED, that we begin a second century by renewing their early prayer and by the pledging to build for Iowa as they have built this house of government--so that our legacy shall be law that is laid in the cement of honesty and built by the rule of fidelity and constructed with the wisdom to serve those who are to come after us.

Representative Connors moved the adoption of the Extraordinary Resolution, which motion prevailed by a voice vote.

Senators Junkins moved that a committee of six, three members from the Senate and three members from the House of Representatives, be appointed to greet and escort the Centennial Delegation.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Junkins, Hultman and Miller of Des Moines on the part of the Senate, and Representatives Connors, Norland and Stromer on the part of the House.

The joint convention stood at ease until the fall of the gavel.

The committee appointed and the members of the joint convention proceeded to the Soldiers' and Sailors' Monument at the south of the Capitol, which was the site of the Old Brick Capitol previously used by the general assembly.

In a reenactment of 1884, a horse and carriage procession, which had departed from the Kirkwood Hotel, arrived at the monument and was greeted by the committee and members of the general assembly. Carriage riders included: Governor Terry E. Branstad; Lieutenant Governor Robert T. Anderson; House Speaker Donald Avenson; Supreme Court Chief Justice W.W. Reynoldson; and former Governors of Iowa, Robert D. Ray, Robert Fulton, Harold E. Hughes, Norman Erbe and Robert Blue.

The colors were advanced by the Iowa National Guard and musical accompaniment was provided from the first floor Rotunda of the Capitol by the Clarinda High School Band.

The members of the general assembly lined the south walkway and the officials from the carriages led the procession to the first floor Rotunda.

The joint convention resumed session, President pro tempore Miller presiding.

Prayer was offered in Gaelic and English by Father John Ryan, pastor of the St. Theresa's Catholic Church, Des Moines, Iowa.

Led by the Color Guard, President Anderson, Speaker Avenson and the members of the General Assembly and Centennial Delegation proceeded up the Grand Staircase into the House chamber.

The joint convention was gaveled to order by President Anderson.

The following honored guests were escorted into the House chamber:

Members of the Executive Council: Robert H. Lounsberry, Secretary of Agriculture, and Mrs. Lounsberry; Tom Miller, Attorney General; Richard D. Johnson, State Auditor, and Mrs. Johnson; Michael L. Fitzgerald, Treasurer of State, and Mrs. Fitzgerald; and Mary Jane Odell, Secretary of State.

The Honorable Charles E. Grassley, United States Senator from Iowa.

Chief Justice W.W. Reynoldson, Chief Judge Leo Oxberger, and members of the Iowa Supreme Court and Iowa Court of Appeals.

The Honorable Robert D. Blue, Governor of Iowa, 1945-1949.

The Honorable Norman A. Erbe, Governor of Iowa, 1961-1963 and Mrs. Erbe.

The Honorable Robert D. Fulton, Governor of Iowa, 1969 and Mrs. Fulton.

The Honorable Robert D. Ray, Governor of Iowa, 1969-1983.

The Honorable Harold E. Hughes, Governor of Iowa, 1963-1969 and Mrs. Hughes.

The Honorable Terry E. Branstad, Governor of Iowa, and Mrs. Branstad.

The Iowa National Guard presented the colors and the Des Moines Children's Choir led the members of the joint convention in the singing of the National Anthem.

President Anderson presented the Honorable Harold E. Hughes, former Governor and United States Senator from Iowa, who delivered the following address:

... As we gather this morning to review the history of the last one hundred years, then we must realize what we are about and as I researched the Iowa history of 1852, I read an article by Thomas F. Drummond which begins in Des Moines in the early 1880's.

The population at that time was about twenty-three thousand and always there was a tremendous amount of hustle. Each Saturday afternoon the whole town came downtown, paraded Walnut Street going east as far as Billy Moore's Opera House, Fourth Street across from the Kirkwood Hotel and as far west as Hospers Academy of Music.

This later showhouse was at Eighth and Walnut and as a youngster, and in a small interior, I saw some of the great stages of celebrities of that era. One in particular being the pleasing young comedian, Faye Templeton.

It goes on with great interest in what was taking place in that day and time when this Capitol was nearing completion as the Capitol Building. A later paragraph says that the Wabash Railroad was building into Des Moines at that time, and one day Tom Given, his father was Judge Josiah Given, got an idea: We would have a "looksee" at the new Capitol Building, and the course of elections. So over we went, arriving at the noon hour. The workmen were gone to lunch, so we explored and soon we were up at the foot of the Great Dome. The giant steel ribs were already in place

and in the center of the red circle were the big timber with boards nailed on to serve as a ladder. So up we went and at the top of the highest point that would support our weight, we rested and looked.

Plainly to the southeast we saw smoke from the locomotive on the Wabash a few miles away. We then left Des Moines in the fall of 1882 and never since have seen the Capitol Building or the city.

This is a view of a young lad coming to this knoll and climbing a pole to the large steel roof of the unfinished Capitol and gazing to the southeast to see the smoke of an engine of the Wabash Railroad taking place.

Nearing completion that the Capitol was, in that time, and of course looking to the future, we must have difficulty in realizing that the decade that had just preceded the completion of this structure had seen an increase in population in Iowa of approximately four hundred thousand souls. The population increase from the early 1850's through the year 1900 was an amazingly staggering increase in each decade that would be shocking to us in these times. Hardly a time rested it said for ten years, when the song of hammer or saw was silent, that the construction of the building was going so strongly.

I would like to just by way of reminding us this morning as we look at these flags again, that the United States flag has typified the sense of new conscientiousness or ideals in the sovereignty of the United States. There was little demand for state flags in early days. The Civil War had a positive opposition since state patriotism was looked upon as a threat of this union. And in no other state probably was there a greater indifference to the significance of a state flag than in Iowa due perhaps to the fact that the state was settled largely from other states and established its state government during the period of dissension preceding the Civil War. Largely, however, there developed in certain groups a sentiment for a state flag and as early as 1913, an attempt was made to secure the adoption of a state banner by legislative action. A commission was appointed but it failed to record in 1915 and was instructed to continue its work and report to the General Assembly in 1917. At this session, the commission reported, that in their opinion, Iowa should have a flag, but they had found no suitable design and the legislature adjourned without further action.

In the meantime, the United States entered the world war, and it was expected that the Iowa men would fight in state regiments as they had in former wars and this emphasized the desirability of a state flag to designate the Iowa units. The organization almost interested in this matter was the Iowa Society of the Daughters of the American Revolution which had already prepared to design a flag. The organization on May 11, 1917, Mrs. Prentiss, Chairman of the Society's flag committee and a number of other interested persons, appeared before the State Council of National Defense and presented a flag and asked that it be adopted as the state flag for use by the Iowa soldiers in World War I. The Council approved the plan without much discussion and thereupon the Daughters of the American Revolution had a number of flags manufactured and presented one to each of the Iowa National Guard Regiments, one of which was the 168th United States Infantry which was already in France. The use of state flags was soon rendered almost impossible by the War Department and started the signing into military units without regard to their states.

The flag design was an entirely white field but before anyone manufactured the flag, a verticle blue stripe next to the pole and a similar red stripe on the outer side was inserted, leaving the white field approximately as wide as the two colored stripes. On this symbol of white was a representation of an eagle carrying in his beak a blue banner on which was printed, "Our Liberties We Prize and Our Rights We Will Maintain" and the word "Iowa." At most, there seems to have been little enthusiasm for the new state flag but less opposition to it.

In it official status, the members of the General Assembly by law approved on March 29, that the flag sponsored by the Daughters of the American Revolution, would be the official banner of the State of Iowa.

I was suppose to review for you this morning the progressive history of the last century as it related to legislative action in this building. Through that period of time, for the ladies in the room, I might add, that the Iowa General Assembly came close on two occasions, once, I believe, in 1884, when the House passed a resolution giving women the right to vote while the Senate defeated the motion and therefore, it remained in obeysance for a lot of years afterward. Once again, in about 1913, the House of Representatives, I believe, again voted to give women the right to vote and for a period of time they were allowed to vote on matters pertaining to taxation. There were two separate balloting procedures, one for the women and one for the men carried out on certain issues in difference places. However, the Senate defeated the right of women to vote again. It remained until 1920, before women finally were given the right to vote by outside intervention—before we acted in this body to see that those of the female sex had the right to vote along with those of the male sex.

But over the years, Iowa has been concerned deeply and patriotically with the affairs; not just of what happens in this state, but of this nation and even abroad in the world. We have made great and wonderful contributions.

And as I review the legislative history, with the assistance of George Mills; and I want to thank him this morning because I was furnished with a voluminous research which George had done on Acts down through the years of the General Assembly that related to progress in the last one hundred years. They were, in fact, so great, that it was exceedingly difficult for me to try to even develop a few. So I decided not to go through the Acts of the General Assembly over the century and bring about the fact that we had met the needs of our people with progress and have defended the rights of the number one industry of Iowa, which is agriculture; that we have pitched in and worked together in times of stress; that we have been patriotic in times of war and fought for our nation and our state; that we have been a state that is willing to arbitrate; that we have defended the rights of the individual ethnic groups; and we have been concerned deeply with the affairs of the civil rights and human rights of all people.

It has been a real pleasure for me to have had the opportunity to be involved in the affairs of this state for over half of the last one hundred years we are celebrating.

If you politely call me middle-aged, I would have to live beyond the age of Moses to be qualified for that. And at this point, I am planning to do that.

I do not want any of you Republicans thinking you are getting rid of me yet. We Democrats don't get this podium very often, and when we get it, we are going to do the best we can while we are here. And knowing that there are more Republicans that are going to follow me today than Democrats, I am going to be very cautious about anything I say. Because when they had the five former Governors crowded in one little "whatever that was we were riding in when we came up here" this morning with the charcoal heater in the floor, and as they shut the door, Bob Ray said to a very hairy individual, please loan me your hair for the ride up to the Capitol. While we were sitting in there they stopped the buggy and put a window down. We said we wished they would leave it closed as we were freezing, and they said they were afraid they would gas us in there with that heater. Bob Fulton said what a mighty celebration there would be in the Statehouse if they opened the door and five dead Governors rolled out.

I know that all of you in the General Assembly think occasionally we have been smoking something a little strange, and if by inhaling those fumes on the way up here, I am not making too much sense this morning, I will attribute it to that fact.

But it is a pleasure to join together with these former Governors of the State of Iowa, former members of the Iowa General Assembly and the historians and all who have contributed to the judiciary and the Congress of the United States to make this republic as great as it is and especially this particular building. Those of us who have had the opportunity to travel the country and the world and see the architectural design and study the Capitols of the various states and nations in the world, can say to you, the citizens of Iowa, that we can be proud and pleased of the foresight of our own government. We can be proud of the heritage that we have as Iowans and as we assemble this morning, those of us who truly love Iowa, and I know that all of us who live here do, have never met any Iowans who have left Iowa and have been unable to return, who cannot remember Iowa with fondness and love and heritage.

Eva and I want to especially thank you on this occasion for your love, your affection and your kindness to us and our family. You have been especially meaningful to us and we have even been foundly treated by those who have at times past been friendly and sometimes strong in opposition to the views that we have politically. But I have never, on any occasion, doubted the part of the individuals that I have seen there and the effort and the time in which they have stood to fulfill the constitutional requirements and the honor of the office they have.

I personally thank you and I would like to thank the members of this state who have gone before us in this past century and who have labored in this fine Capitol in the legislative, executive and judicial branches to maintain the freedom that we are all of a part; to preserve the soil and the heritage that we have; the right to worship God in the way that we desire; the freedom to speak freely with one another and to maintain a life of glowing happiness; and may our children and our children's children have that same opportunity.

Thank you very much.

President Anderson presented the Honorable Terry E. Branstad, Governor of Iowa, who addressed the joint convention as follows:

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

I am very pleased that all of you are here to celebrate both a centennial and a beginning of the second century for this beloved building.

Just one week ago today, I stood here to deliver my condition of the state message. I discussed our achievements in 1983 and our aspirations for 1984. Today is an occasion to discuss our achievements over the past 100 years and our aspirations for the coming 100 years.

Former Governor Hughes has given us an insight into Iowa's past from the perspective of one who helped to shape it. There is value in looking back. Lessons from the past continue to educate—showing us our strengths and weaknesses and guiding us as we head into the future.

In order to identify a clearer image of what the years ahead may hold, we ought to focus now on Iowa fundamentals—those timeless, reliable traits that make us a distinctive people.

Foremost, we are a productive people. We work with diligence, patience and intelligence. And what we produce, grow, and glean from the earth feeds an ever more hungry world.

Much of the global population depends on our skills, our resources, and our willingness to approach the future with foresight and courage.

Just last week, we began taking some far-reaching, courageous steps. In my condition of the state message, I recommended \$10 million for the Iowa World Trade Center. While this is less than one-half of one percent of next year's budget, these funds will serve us well.

Just as the new historical building will commemorate Iowa's heritage, the World Trade Center will help to dramatically define Iowa's future. It will demonstrate to the world that, when it comes to agriculture, we mean business.

The Iowa World Trade Center will create thousands of jobs. It will also capitalize on our assets—our innovative research and development facilities, our excellent educational institutions, our progressive private sector leadership and most of all, the productivity of our people and our land. Each of these will become a cornerstone for Iowa's prosperity in the 21st century.

The Iowa World Trade Center will add a physical presence to our position in the international marketplace. We must also work to enhance our social and cultural presence in the world community.

For several years, we have enjoyed the many benefits of our sister-state relations with Yamanashi, Japan and Yucatan, Mexico. Just last year, we formalized a sister-state relationship with the Hebei Province in the People's Republic of China.

Today, I am announcing the formation of an umbrella organization for these contacts, the Iowa Sister-State friendship committee. The new friendship committee will include members from the current sister-state committees.

I have asked former Governor Bob Ray to serve as Chairman, and I am delighted that he has accepted this assignment. Under Governor Ray's skillful leadership, we can better coordinated our many international efforts.

The Iowa Sister-State Friendship committee will truly strengthen and extend our relationships with other countries. This effort will promote goodwill and understanding among people.

Given the unrest that exists in the world today, this is a step in the right direction.

Given the peril that exists in the world today, the mission for peace is the most critical challenge we face.

While those who bear swords wield so much power, we who use plowshares must not yield to fear. For when we feed the hungry of the world, we sustain the hope for peace.

As the need for food becomes more acute, and as the forces marshalled against peace grow more ominous, we must summon the best within us. We must rely upon our resilience and call upon our compassion.

This 100-year-old house of state provides a fitting backdrop for these qualities. Our open government reflects an open people. Our caring government mirrors a caring people.

In the future, the strength and honesty and generosity of Iowans will continue to be an example to the nation. And the views of Iowa voters will be important to the nation. In fact, one month from now, America's eyes and ears will again be centered on Iowa as our precinct causes start the long process of selecting a President.

Today, as we consider the past and contemplate the future, it is appropriate to ask, what future generations will say of our decisions? What will our great-grandchildren say when they celebrate the Bicentennial of this glistening Golden Dome? Will they say that our actions added luster to the light of freedom that shines from the Dome?

To aid their judgment, we should give them a gift from those who have the greatest stake in Iowa's future—our children. We will bury a time capsule near the Capitol this spring. In that time capsule, we should seal a collection of writings—a series of essays describing what it means to be an Iowan, and what living in the American Heartland means to the young at heart and the young in hope. The essays should be written by Iowa students—elementary through high school.

The collection will illustrate for future readers how we perceived ourselves and the issues that were important to us. Perhaps the essays will highlight our interest in the environment—in saving our soil and water. They may talk about our efforts to find new sources of energy. They could well look at educational excellence and the need for healthy lifestyles for all ages.

The essays will preserve the vibrancy of young minds. They will be tangible proof of the billion-dollar investment we Iowans make every year in educating our young. This collection will be a contribution to historians in the year 2084—a record of the hopes and dreams of Iowans in 1984.

We can only guess what creative thoughts will spring forth from our talented students. Perhaps one will even match the simple eloquence of the late Iowa poet James Hearst, who once wrote: "I have tried always to be aware that the earth, seed and weather, plus human skill and knowledge, are the true roots of creation."

In the next 100 years, we can strive to save this earth. We can develop new strains of seed. We might even be able to affect changes in the weather. All of this is possible.

But more important, we should work on the human skill and knowledge that Hearst wrote about—refining, improving, enhancing our skill and knowledge each and every day. That too, is possible in Iowa.

In the years and decades ahead, the young and the old, the weak and the strong, the disillusioned and those who dream, will again turn to us here in the Heartland.

They will find that our best cash crop isn't corn or soybeans, that our most valuable commodity isn't cattle or hogs, that our finest product isn't tractors or combines. They will find that our best crop, our most valuable commodity, our finest product is our people. They will always find in Iowans a reaffirmation of our stability and character and all that is best in the human condition.

I am confident that Iowans will continue to reach from the past and from their hearts, with wise minds and steady hands, to create a future full of promise and possibility.

We are capable of that and so much more.

Thank you.

The honored guests were escorted to the center aisle of the chamber for a series of photographs to be taken of the joint convention. Musical accompaniment was provided by the Clarinda High School Band.

RECESS

On motion of Representative Norland, the joint convention recessed at 11:25 a.m., until 1:00 p.m.

SENATE RECONVENED

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

Senator Junkins asked and received unanimous consent to suspend the rules to allow the public onto the Senate floor until 12:45 p.m.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:35 a.m., until 12:50 p.m.

AFTERNOON SESSION (Senate)

The Senate reconvened at 12:50 p.m., President Anderson presiding.

COMMITTEE FROM THE HOUSE

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

The Senate proceeded to the House under the direction of the Parliamentarian and the Sergeant-at-arms.

AFTERNOON SESSION (Joint Convention)

The joint convention reconvened at 1:00 p.m., President Anderson presiding.

Members of the Iowa National Guard escorted former Governors of Iowa Robert D. Ray, Robert Fulton, Norman Erbe and Robert Blue to the Speaker's station.

President Anderson presented the Honorable Robert D. Ray, who delivered the following address:

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

Celebrating the 100th Anniversary of this beautiful Capitol makes this an exciting day in the history of our state - not just because the building is 100 years old but because it is the seat of Iowa government - a free government - a place to protect the rights of people and which gives them the greatest freedom possible to pursue their happiness, and I am happy to have the opportunity to participate in this special day.

But I must tell you that I have made more appearances as a Governor before Iowa Legislatures more official times than any other Governor in our history. And each time after I spoke the press ferreted out those who would criticize what I had just said. Well, I want you to know if they come to you today feel free to say whatever you please and it won't bother me at all.

When a person leaves public office interesting things happen to him. The proverbial happened to me. A lady came up to me one day and said, "Didn't you use to be Bob Ray?"

I appreciate those of you who have come back after lunch to hear my comments and the remarks of the other former Governors. I have never been exactly sure what my topic is. I was first told that Harold Hughes was going to cover the first 100 years and Terry Branstad would follow with the present and the future. That doesn't leave a whole lot.

Then later I was assigned the topic, "Iowa as a National leader in structural aspects of innovation process of government." Now that I am no longer in Government I'm having trouble understanding that type of language.

So, I will take a little license with my remarks. One thing is for sure - today is another important day in the history of this wonderful building and great state. I'm mindful of Abraham Lincoln's admonition when he said, "Fellow citizens, we cannot escape history" and the similar warning, "Those who do not learn from history are doomed to repeat the mistakes of the past."

You have been reading and hearing today about the man who shook off personal tragedy to become, in truth, the father of this building. Except for him this Capitol might never have been built - or built somewhere else. I'm referring, of course, to John L. Kasson.

John Kasson came to Iowa from Vermont at the time Governor James Grimes was at the forefront of organizing the Republican Party. Kasson was Lincoln's Iowa Manager in the 1860 election and was appointed the First Assistant Postmaster General. Two years later he was elected to Congress from Iowa. He supported Abe Lincoln and his policy of conciliation toward the South which Andrew Johnson followed after Lincoln's assassination. Kasson's association with the increasingly unpopular President Johnson plunged him into deep political trouble. Radical

Republicans were in control and they were determined to punish the defeated secessionists and they set out to purge Kasson and Grimes, then a U.S. Senator, but Grimes was protected because he had a second six year term. To defeat John Kasson they also capitalized on the divorce action that was brought against him at about the same time. In that mid-Victorian era even a garden type divorce action would have created a tough problem for a politician but in this case his wife who came from a very prominent and powerful family accused him of being infected with a social disease. So after his defeat he went to Europe, but his life took on a strange twist. The Polk County Republicans, intent on winning approval for the badly needed new Capitol building in Des Moines, nominated and elected him to a seat in the Iowa House of Representatives.

They selected the right man for he served three terms in this Legislature and was the field marshal of the new capitol forces. After serving in the Legislature and four more terms in Congress and many diplomatic roles, he described the struggle for the present Capitol building as the "longest, continued and bitterest parliamentary battle" in which he ever took part.

As you know to win approval in the 1870 session for an appropriation he had to call on a priest friend to round up the winning vote from a house member the opposition had tried to immobilize with booze.

And, the story goes on. He was able to eventually replace a partisan, inefficient, unwieldy commission with a small, effective commission. At the time of the dedication he said this about the commission members, "not one act of speculation or spoliation, not one coin wasted or vainly spent had defaced the bright record" of the capitol's construction. Its walls, he said, had been laid "in cement of honest, and built by the rules of fidelity." That set the state for this celebration today.

A hundred years later, this place is the embodiment of our shared past, our shared present, and our shared future - and, most of all, as the embodiment of our shared values and our shared vision of what human life ought to be and can be made. What is it that, at our best, we Iowans believe? I hear us saying, at our best, that the purpose of government is the happiness of the people.

The best in our Iowa heritage proclaims our devotion to human rights. The first permanent white resident of this land - French-speaking Julian DuBuque - lived at peace in friendship, for more than twenty years, with his Native American neighbors, who - at his death - erected a mausoleum to shelter the remains of their friend, who they affectionately called "Little Night." A little more than two decades later, noble Chief Black Hawk crossed the Mississippi to Iowa to spend his last years in peace here and to tell his white acquaintances: "The earth is now yours; keep it as we did; it will produce you good crops." Still later, descendants of Black Hawk's followers, the Mesquakies, by their own herculean efforts made their way back to Iowa from exile in Kansas and set up - with encouragement from Governor Grimes and the legislature - a unique community in Tama County that has survived for a century and a quarter.

Iowa's acceptance of diversity has not been confined to Native Americans. The very first case to come before the Supreme Court of the newly organized Iowa Territory pierced to the heart of the human rights issue. It refused to return to a Missouri slave master, a slave named Ralph and new hopes were born for all people in bondage.

Governor Grimes said, "A blessed thing that there is no Ebb to the principles and progress of freedom; it is always at flood-tide."

The seeds of human rights sown by James Grimes and his pioneer fellow Iowans have brought us a rich harvest.

This building epitomizes Iowa's sense of attunement to human life everywhere. The founders of our commonwealth were not natives; they were migrants from the eastern and southern parts of the United States and from overseas.

John Kasson, lived in Vermont, Virginia, Massachusetts and Missouri - he worked in Washington, D.C. and journeyed throughout Europe, the Middle East, Egypt and, on official business, to such far-off places as Samona and the Congo.

It was Paris, France, where Senator Grimes searched in vain to find help for his health. Senator Grimes was the one who got out of his sick bed to cast the deciding vote which kept President Andrew Johnson from being impeached.

The reasons for mentioning this is that within the walls of this building echos proof of the truth that Iowa is, and always has been, a part of a global human fellowship currently being dramatized by the present keen interest in the development of a world trade center. This would bring us, if we had it, in contact with the peoples of the world. Of course, it would benefit us in Iowa, but it would also give us new horizons for contributing to a better fed and safer world.

We have long believed we do our best, feel our best and are at our best when we recognize others, understand the plight of others, and are willing to share with others.

In 1892, during the first decade of this building's life, an Iowa editor - B.F. Tillinghast - led a resounding campaign to supply Iowa foodstuffs for the relief of a crushing famine in czarist Russia. Tillinghast assembled 250 boxcars of Iowa corn for shipment to the starving subjects of the czar, and subsequently was honored - at a glittering convention in the Russian capital of St. Petersburg. During the First World War, Iowa-born Herbert Hoover who became president of the United States won universal acclaim for his brilliant leadership of relief activities for civilian victims of that conflict.

Iowans in 1959 made a gift of hogs and tons of grain to Yamanashi, Japan following a typhoon that was disastrous to their agriculture. They expressed their gratitude by presenting to us the Japanese bell located on these Capitol grounds. This event led to the first sister state arrangement between an American State and a Japanese prefecture.

I saw at Christmas Time, 1979, the results of the generosity of Iowans when truck loads of grain went into Cambodia to save the lives of starving people.

There has been a myriad of contributions Iowans have made in so many ways which have affected the lives of people everywhere in this country and often the entire world. Name the category and you can find a leader from Iowa over this past century.

The most prestigious award Iowa gives is the Iowa Award itself presented by the Centennial Commission. The winners to date are a good cross section of what I am talking about.

1. Herbert Hoover - Secretary of Commerce - first president of the United States born west of the Mississippi-humanitarian.

2. Henry A. Wallace - famous plant geneticist, Secretary of Commerce, Secretary of Agriculture, Vice President of United States.

3. Jay N. Darling - twice a Pulitzer prize winner - one of the greatest cartoonist ever - Especially well known for his conservation efforts.

4. Dr. James Van Allen - Discoverer of the Van Allen Belt - and heavy contributor to the space program.

5. Dr. Frank Spedding - Made a substantial contribution in the field of nuclear energy.

6. Mamie Eisenhower - Wife of President Eisenhower, an example for family life.

7. Dr. Karl King - Band Master and great composer of band music.

8. Dr. Norman Borlaug - Nobel Prize recipient for his Green Revolution.

9. Msg. Luigi Ligutti - took his depression - ERA experiments from Granger, Iowa to a role of global agricultural statesmanship for the vatican.

10. And, the newest member, Dr. George Gallup - developer of the Institute of American Public Opinion.

Yes, Iowa has produced a century of winners; a President of the United States and another one who got his start through WHO radio, Ronald Reagan; a Vice President; several U.S. Supreme Court Justices; a United States Senator, William Allison, who served 35 years in that body and another eight years in the House of Representatives; and a speaker of the House of Representatives, David Henderson. This was during the "Golden Age" for Iowa. "Tama Jim" Wilson was the Secretary of Agriculture. He served in the Presidents' Cabinet longer than anyone else ever has. Leslie Shaw was the Secretary of the Treasury and a brilliant orator was Jonathan Dolliver in the House of Representatives.

This list could certainly go on..But I like the impact Iowans have had on this country in other ways.

George Foerstner, the father of Amana, F.L. Maytag, who gave us Maytag appliances. Craig Schaeffer - the Schaeffer pen, Dusenbergs and their classic cars, Arthur Collins, Fritz Norris, Roy Carver, E.T. Meredith and that list goes on and on.

There are sports heroes, fast ball, Hall of Famer, Bob Feller, Olympic Gold Medal winner, Dan Gable, Heisman Trophy Winner Nile Kinnick, Johnny Bright - All American from Drake whose jaw was broken in a racial incident in an Oklahoma game, and a hero who played less than one game of football, Jack Trice. I'm pleased with those who have had the courage to memorialize his name at Iowa State University.

Artists: Grant Wood with his American Gothic style and today's Maurice Lazansky.

Noted novelists: Edna Ferber, McKinley Kanter, a Pulitzer prize winner, and Paul and Wally Engle of the International Workshop.

Entertainers: The Lane Sisters, Donna Reed, Cloris Leachman, Jean Seberg, John Wayne, Roger Williams; others who lived here, Gary Cooper, Johnny Carson, Andy Williams, Art Linkletter, and, of course, our President, Ronald Reagan.

Miss Universe - Carol Morris from Ottumwa.

Miss America - Who was born in Iowa, Rebecca King.

In the field of music there is Meredith Willson and his famous music man, Swing Band Leader Glen Miller, Bix Beiderbecke.

We have had our military leaders: I couldn't begin to name them all. Let's start with Grenville M. Dodge who commanded the 4th Infantry in the Civil War to Admiral William Leahy, the Chief of Staff of the Navy in WW II and Chief of Staff of the Air Force, General John D. Ryan. There were Generals Herron and Mac Nider and Admirals Remy and others who deserve mention. Presently serving in one of our nation's top military positions is a Four-Star General, Richard Lawson. And, the real heroes are the 63 Iowa Medal of Honor Winners. Iowans have always answered the call to defend this country in record numbers.

We gave the country its strongest Labor Leader, John L. Lewis, who organized the United Mine Workers of America.

But perhaps we can be most proud on this day of reflection when we think of the occurrences such as:

George Washington Carver, the famed geneticist who was given the opportunity to succeed here in Iowa at a private college, Simpson and at a state college, Iowa State.

The fact that the University of Iowa was the first co-educational state University in America. The first women to be admitted to the practice of law in the United States was Belle Mansfield, valedictorian at Iowa Wesleyan.

The legendary Carrie Chapman Catt who was one of the first women superintendents in this country, was Superintendent of the Mason City School District when this building was dedicated and truly a national leader in the long successful fight for women suffrage.

And, our own Mary Louise Smith, who was the first woman in history to chair a national political party convention and to head the Republican Party.

And George Mills and Bob Burlingame - Great Historians.

Iowans truly have been leaders.

Twice in a twenty-year period, dramatic figures from opposite ends of the international power spectrum have paid significant visits to Iowa. Still fresh in mind is the visit of Pope John Paul in early October, 1979. More faded is the memory of another memorable visit to Iowa, made in 1959, by Nikita Krushchev, then leader of the Soviet Union.

So for more than 100 years, Iowa has been on the path way of world events. Now, when this planet is dangerously over-armed and under-nourished - when an arms race no country can afford or win is crowding out neglected social needs - when a stockpile of more than 50,000 nuclear weapons ticks like the knell of doom for all humanity, I repeat to you what I said in my final message as Governor, just a year ago:

"Ponder for a moment the vulnerability of every Iowan due to the peril of nuclear arms. The arms race can never be won. Yet the super-powers keep pouring billions of dollars into. . . weapons of destruction, instead of instruments of peace."

The peril is even greater on January 19, 1984, than it was when I spoke those words on January 11, 1983. Today, in the embrace of this great building, this fun celebration, this building which we want to preserve as a temple of Iowa life for centuries to come let us keep the problems we grapple with daily in perspective - and offer support as we can to put an end to the arms race before it puts an end to us.

Ralph Waldo Emerson wrote, "This time, like all times, is a good time if we know what to do with it".

Thank You!

President Anderson introduced Governors Fulton, Erbe and Blue, who individually addressed the joint convention with brief remarks.

President Anderson appointed Senators Gratias and Anderson and Representatives Menke and Lloyd-Jones, to escort the honored guests from the House chamber.

The Sergeant-at-arms escorted the Justices of the Supreme Court and Judges of the Court of Appeals from the House chamber.

For introduction of members of the Iowa Pioneer Lawmakers, President Anderson presented Representative John Connors, Speaker pro tempore of the House.

The Pioneer Lawmakers and current legislators assembled, reminiscenced and reviewed issues debated by the General Assemblies during the last 100 years, Representative Connors presiding.

Miss Kate Kassen offered a portrayal of Susan B. Anthony for the joint convention.

A tape of the song "Iowa Waltz" by Greg Brown of Early, Iowa, was played for those present.

On motion of Representative Lloyd-Jones, the joint convention was dissolved at 3:58 p.m..

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 60, the following Senators were appointed to a subcommittee of the standing committee on:

APPROPRIATIONS: As a member of the Board of Regents:

TIMOTHY D. NEVILLE
Tieden, Chair
Carr
Horn

REPORTS OF STANDING COMMITTEES (Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the character and qualifications of Thomas R. Eller, Denison, Crawford County, Iowa, for appointment as a member of the Iowa Board of Parole under the provisions of Section 904.2, 1983 Code of Iowa, for a unexpired term beginning immediately and ending April 30, 1986, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the character and qualifications of Lavonne Mydland, Rock Rapids, Lyon County, Iowa, for appointment as a member of the State Racing Commission under the provisions of Chapter 187, Section 5, Acts of the Seventieth General Assembly, for a term of one-year beginning July 1, 1983, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the character and qualifications of L. C. Pike, Grundy Center, Grundy County, Iowa, for appointment as a member of the State Racing Commission under the provisions of Chapter 187, Section 5, Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the character and qualifications of Dr. Sally Brown Prickett, Cumming, Warren County, Iowa, for appointment as a member of the State Racing Commission under the provisions of Chapter 187, Section 5, Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY

DONALD V. DOYLE, Chair

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the character and qualifications of Lawrence F. Scalise, Des Moines, Polk County, Iowa, for appointment as a member of the State Racing Commission, under the provisions of Chapter 187, Section 5, Acts of the Seventieth General Assembly, for a three-year term beginning May 1, 1983, and ending April 30, 1986, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY

DONALD V. DOYLE, Chair

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the character and qualifications of Steve Sovern, Mason, Linn County, Iowa, for appointment as a member of the State Racing Commission, under the provisions of Chapter 187, Section 5, Acts of the Seventieth General Assembly, for a one-year term beginning July 1, 1983, and ending April 30, 1984, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY

DONALD V. DOYLE, Chair

STUDY BILLS RECEIVED

S.S.B. 2040 Education

An act relating to kindergarten programs, including the offering of kindergarten and the method of determining enrollment for purposes of state foundation aid.

S.S.B. 2041 Education

An act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract, and to provide for its termination.

COMMUNICATIONS

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

STATE BOARD OF REGENTS

On January 16, 1984, received a copy of the State Board of Regents Ten-Year Building Program 1983-98. Submitted in accordance with Chapter 262A.3 of the Code of Iowa.

IOWA STATE DEPARTMENT OF HEALTH

On January 16, 1984, received a copy of the mandated report on the Health Data Commission's first six month activities.

CERTIFICATE OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificate of recognition has been issued as follows:

Clarinda High School Band—In recognition of participation in the Centennial Celebration for the Iowa State Capitol, January 17, 1984, and honoring the participation of the Clarinda Band in the Capitol dedication, January 17, 1884. Senator Hultman. (January 17, 1984.)

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	2002	Rules and Administration
S. F.	2058	Education
S. F.	2059	Rules and Administration
S. F.	2060	State Government
S. F.	2061	Agriculture
S. F.	2062	Appropriations
S. F.	2063	Small Business & Economic Development
S. F.	2064	Transportation
S. F.	2065	Ways and Means
H. F.	586	Transportation

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: January 16, 1984, 3:50 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Biles, Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Gentleman (excused.)

Final Bill Action: SENATE FILE 497 (SSB 256), a bill for an act relating to activities of the citizens' aid and members of the citizens' aid and members of the citizens' aide staff.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; presentation of recommendations of the Iowa Corrections Association of October 28, 1983 by Linda Murken to the committee; recommended Governor's appointees to State Racing Commission and Board of Parole.

Adjourned: 5:05 p.m.

RULES AND ADMINISTRATION

Convened: January 16, 1984, 4:03 p.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Kinley, Anderson and Hulse.

Members Absent: none.

Other Committee Business: Approved Mike Heller as Research Analyst to the Democratic Caucus Staff.

Adjourned: 4:06 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Binkard, D.O., resident at Iowa Lutheran Hospital, Des Moines, Iowa.

ADJOURNMENT

On motion of Senator Gettings, the Senate adjourned at 4:00 p.m., until 9:00 a.m., Wednesday, January 18, 1984.

CAPITOL CENTENNIAL EVENTS

Centennial commemorative items on sale - 9:00 a.m.-11:30 p.m.

Open Houses by various Capitol offices - 11:30 a.m.-4:30 p.m.

Entertainment provided by:

Central Iowa Polka Association, Des Moines
Clarinda High School Band, Clarinda
Dan Hunter, Folk Singer, Des Moines
Des Moines Big Band
Des Moines Children's Choir, Des Moines
Dutch Family Singers, Pella
Gateway Dancers, Des Moines
Grand View College Folk Dancers (Scandinavian), Des Moines
Ingersoll Dinner Theater, Des Moines
Iowa Dance Theater, Des Moines
Iowa National Guard - Flag Presentation
Italian Culture Club, Des Moines
Jim Clark, Singer, Altoona
Los Bailadores Mestizos Dancers, Des Moines
Oxford Junction Polka Band, Oxford Junction
Scottish Heritage Society Pipes and Drums, Des Moines
Smithsonian Social Orchestra
Southeast Warren High School, Liberty Center
The Dance Place, West Des Moines
The Des Moines Ballet, Des Moines
Union Baptist Church Mass Choir, Des Moines
Valley High School Jazz Band, West Des Moines

Church Service - 4:15 p.m., First Lutheran Church, Des Moines

Gala Ball - 8 p.m.-midnight, Rotunda, First Floor of the Capitol

JOURNAL OF THE SENATE

TENTH CALENDAR DAY SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 18, 1984

The Senate met in regular session at 9:15 a.m., President Anderson presiding.

Prayer was offered by the Reverend Hugh Stone, pastor of the Mitchellville United Methodist Church, Mitchellville, Iowa.

The Journal of Tuesday, January 17, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery for the day on request of Senator Hutchins and Senator Gentleman for the day on request of Senator Hultman.

INTRODUCTION OF BILL

Senate File 2066, by Wells, Hall, Tieden, Jensen, Slater and Horn, a bill for an act regulating deferred compensation plans for employees of the state of Iowa and requiring that at least fifty percent of the deferred amount shall be invested in Iowa.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:23 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President pro tempore Miller presiding.

QUORUM CALL

Senator Junkins 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 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 January 16, 1984, adopted the second conference committee report and amendments contained therein and passed the following bill in which the concurrence of the Senate is asked:

House File 359, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities.

INTRODUCTION OF BILL

Senate File 2067, by Husak, a bill for an act relating to penalties incurred when a person is convicted of drag racing.

Read first time and passed on file.

President Anderson took the chair at 4:38 p.m.

WITHDRAWN

Senator Waldstein asked and received unanimous consent that **Senate File 237** be withdrawn from further consideration of the Senate.

MOTION TO RECONSIDER ADOPTED

Senator Junkins asked and received unanimous consent to suspend the rules to take up the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 480 passed the Senate on January 16, 1984.

Senator Junkins moved the adoption of the motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 480) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 39:

Anderson	Briles	Brown	Bruner
Carr	Dieleman	Doyle	Drake
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	

Nays, 1:

Tieden

Absent or not voting, 10:

Coleman	Colton	Deluhery	Gallagher
Gentleman	Kinley	Nystrom	Palmer
Van Gilst	Welsh		

The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 480 went to its last reading, which motion prevailed by a voice vote.

Senate File 480

On motion of Senator Doyle, Senate File 480, a bill for an act relating to jurisdiction of the district court in the possible reconsideration of a felon's or misdemeanor's sentence, was taken up for reconsideration.

Senator Doyle offered amendment S—5033 filed by Senators Junkins and Doyle from the floor to page 1 of the bill and moved its adoption.

Amendment S—5033 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, 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	Briles	Brown	Bruner
Carr	Dieleman	Doyle	Drake
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Waldstein	Wells	

Nays, none.

Absent or not voting, 11:

Coleman	Colton	Deluhery	Gallagher
Gentleman	Kinley	Nystrom	Palmer
Vande Hoef	Van Gilst	Welsh	

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 Junkins asked and received unanimous consent to suspend the rules to take up the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 449 passed the Senate on January 16, 1984.

Senator Junkins moved the adoption of the motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 449) the vote was:

Ayes, 38:

Anderson	Briles	Brown	Bruner
Carr	Dieleman	Doyle	Drake
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Waldstein	Wells		

Nays, 1:

Tieden

Absent or not voting, 11:

Coleman	Colton	Deluhery	Gallagher
Gentleman	Kinley	Nystrom	Palmer
Vande Hoef	Van Gilst	Welsh	

The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 449 went to its last reading, which motion prevailed by a voice vote.

Senate File 449

On motion of Senator Junkins, Senate File 449, a bill for an act relating to licensing private investigative agencies and private security agencies, and providing a penalty, was taken up for reconsideration.

Senator Junkins 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—3272 to Senate File 449 was adopted by the Senate on January 16, 1984.

The motion prevailed by a voice vote and amendment S—3272 by Senator Miller of Des Moines to pages 2, 7 and 8 of the bill, was taken up for reconsideration.

Senator Junkins asked and received unanimous consent that action on amendment S—3272 be deferred.

Senator Junkins 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—3473 to Senate File 449 was adopted by the Senate on January 16, 1984.

The motion prevailed by a voice vote and amendment S—3473 by Senator Miller of Des Moines to page 2 of the bill, was taken up for reconsideration.

Senator Slater asked and received unanimous consent that action on amendment S—3473 be deferred.

Senator Slater offered amendment S—5034 filed by Senators Slater and Junkins from the floor to pages 2, 7 and 8 of the bill and moved its adoption.

Amendment S—5034 was adopted by voice vote.

With the adoption of amendment S—5034, the Chair ruled amendments S—3272 and 3473, previously deferred, out of order.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 40:

Anderson	Briles	Brown	Bruner
Carr	Dieleman	Doyle	Drake
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, none.

Absent or not voting, 10:

Coleman
Gentleman
Van Gilst

Colton
Kinley
Welsh

Deluhery
Nystrom

Gallagher
Palmer

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 Junkins asked and received unanimous consent that **Senate File 160** be referred from the Regular Calendar to the committee on **Finance** under **Senate Rule 38**.

WITHDRAWN

Senator Holden asked and received unanimous consent that **Senate File 125** be withdrawn from further consideration of the Senate.

Senator Hultman asked and received unanimous consent that **Senate File 249** be withdrawn from further consideration of the Senate.

APPENDIX

STUDY BILLS RECEIVED

S.S.B. 2042 Judiciary

Relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse.

S.S.B. 2043 Judiciary

Relating to the form of probate inventory.

S.S.B. 2044 Agriculture

Relating to drainage district expenses and assessments.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 12, 1984, 10:15 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Hutchins and Nystrom.

Members Absent: Lind, Ranking Member.

Other Committee Business: General discussion of budget.

Adjourned: 10:45 a.m.

COMMERCE

Convened: January 17, 1984, 8:05 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery (arrived 8:06 a.m.), Nystrom and Tieden.

Members Absent: Gallagher, Holden and Palmer.

Other Committee Business: Reassigned 1983 bills to previous subcommittees; assigned Senate File 512 and 1984 bills to subcommittees.

Adjourned: 8:08 a.m.

JUDICIARY

Convened: January 18, 1984, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Gentleman, (excused), Deluhery, Dieleman and Drake.

Final Bill Action: SENATE FILE 2021, a bill for an act relating to the tolling of a statute of limitations when restitution is ordered.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Briles, Coleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Gentleman, Deluhery, Dieleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2009 ordered redrafted as a committee bill.

Adjourned: 2:00 p.m.

NATURAL RESOURCES

Convened: January 18, 1984, 8:00 a.m.

Members Present: Van Gilst, Chair; Schwengels, Ranking Member; Goodwin, Hall, Hester, Priebe and Rife.

Members Absent: Rodgers, Vice Chair; Doyle and Gettings.

Final Bill Action: HOUSE FILE 111, a bill for an act relating to reseeding the topsoil of open ditches with prairie grass seed.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Van Gilst, Schwengels, Goodwin, Hall, Hester, Priebe and Rife. Nays, none. Absent or not voting, 3: Rodgers, Doyle and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:06 a.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Glen Hanson, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S—5033	S. F.	480	Lowell L. Junkins Donald V. Doyle
S—5034	S. F.	449	Tom Slater Lowell L. Junkins

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:08 p.m., until 9:00 a.m., Thursday, January 19, 1984.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 19, 1984

The Senate met in regular session at 9:14 a.m., President Anderson presiding.

Prayer was offered by the Reverend Dennis Marx, pastor of the Area Bible Fellowship Church, Clearfield, Iowa.

The Journal of Wednesday, January 18, 1984, was approved.

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 January 16, 1984, amended and passed the following bill in which the concurrence of the Senate is asked:

House File 508, a bill for an act to eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2068, by Vande Hoef, a bill for an act relating to the establishment of an export trade division within the Iowa development commission.

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

SPECIAL GUEST

Senator Schwengels appeared in the well of the Senate and presented Shannon Streeby, 18, of Agency, Iowa Junior Miss for 1984.

Shannon, who was accompanied by her parents, David and Carolyn Streeby, attends Cardinal High School in Eldon and maintains a 4.0 grade point average. She plans to major in engineering at Iowa State University.

Shannon expressed her excitement of visiting the Capitol, addressing the legislature and meeting with the governor. She said she plans to make several appearances around the state of Iowa.

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

The Senate resumed session, President Anderson presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 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 103, duly adopted, the Senate proceeded to the House under the direction of the Parliamentarian and the Sergeant-at-arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 103, duly adopted, the joint convention was called to order at 9:45 a.m., President Anderson presiding.

Senator Junkins 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 Anderson declared a quorum present and the joint convention duly organized.

Senator Junkins moved that a committee of four, two members from the Senate and two members from the House, be appointed to

notify the Honorable Terry E. Branstad, Governor of Iowa, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Goodwin and Hutchins, on the part of the Senate, and Representatives Lloyd-Jones and Renken, on the part of the House.

Senator Junkins 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 Mann, Chair; Colton and Ritsema, on the part of the Senate, and Representatives Jay, Chapman and Jones, on the part of the House.

State officials, Justices of the Supreme Court and Judges of the Court of Appeals were escorted into the House chamber.

The committee appointed waited upon Governor Branstad and escorted him into the House chamber.

The committee appointed waited upon Chief Justice Reynoldson and escorted him to the Speaker's station.

President Anderson then presented Chief Justice Reynoldson, who delivered the following State of the Judicial Department Message:

MR. PRESIDENT, MR. SPEAKER, GOVERNOR BRANSTAD, SENATORS, REPRESENTATIVES, STATE OFFICIALS, AND FELLOW IOWANS:

Your week's activities successfully marking the one hundredth birthday of this building inspired us to search the archives for our related judicial roots. We learned the law library was finished and occupied in 1882, but the courtroom was not formally opened until June 8, 1886. We take understandable pride in our courtroom and chambers, and invite you down to visit us at any time. Our quarters can be appreciated even more when viewed against the rough and rustic backdrop of those times. In the period 1883-1889 lynch mobs were active, with violent deaths resulting in Adams, Audubon, Bremer, Cass, Decatur, Hardin, Madison, Shelby, Taylor and Wapello Counties. Fourteen years after the courtroom dedication, Chief Justice Given, a rugged veteran of twenty-two Civil War battles who scorned streetcars, was still riding his cream-colored horse from his home at Tenth and Walnut Streets in Des Moines to his office in the Capitol. History does not tell us what the parking facilities were in those days, but we like to think that the grass is a little greener near our corner of the building.

Remaining from that 1886 courtroom dedication is a fascinating printed speech by former Justice Thomas S. Wilson, who by that time also had served in the Eleventh and Twelfth General Assemblies, and on the district bench. Wilson was a legendary figure whose career by 1886 had spanned all of Iowa's judicial history. He was only twenty-five in 1838 when President Van Buren appointed him and Charles Mason and Joseph Williams to the supreme court of the Iowa Territory.

The first session of the supreme court of the territory of Iowa was held in Burlington on November 26, 1838. It is reported the three justices sat on a raised platform in "the parlor of a tavern." Forty-eight years later, Wilson, participating in the dedication of the present courtroom, must have marveled at the improved environment.

It was Justice Wilson who issued the writ of habeas corpus that released the slave, Ralph, from the hands of the bounty hunters who were about to return him from Dubuque to his Missouri master. In 1839 Chief Justice Mason, whose portrait and work chair grace our court chambers, wrote the famous first decision of the court, In the Matter of Ralph, declaring that "[p]roperty, in the slave, cannot exist without the existence of slavery; the prohibition of the latter annihilates the former, and, this being destroyed, he becomes free." We Iowans can take great pride in the Ralph decision, especially when it is contrasted with the United States Supreme Court's 1856 Dred Scott opinion, holding that the United States Constitution's cloak of protection covered the white race alone.

The concepts of liberty, equality and justice launched with the Ralph case have been safeguarded since by Wilson—and a host of other Iowa Judges. In 1868 the Iowa justices struck down the "separate but equal" concept in public education, eighty-six years before the United States Supreme Court reached the same result in Brown v. Board of Education.

In 1873 the Iowa justices ruled that a black female passenger on a river boat could not be discriminated against with respect to accommodations. This conclusion, they held, was "planted on the broad and just ground of the equality of all [persons] before the law, which is not limited by color, nationality, religion or condition in life."

Iowa, in 1869, was the first state to admit a female to the practice of law. In 1975 the Iowa supreme court struck down as sexually discriminatory a school district's regulations requiring pregnant teachers to take mandatory leave, without disability benefits, no later than the end of the fifth month of pregnancy. We persisted in this ruling in a 1978 case, despite an intervening United States Supreme Court decision reaching the opposite result.

The appellate decisions that enforce and ensure freedom, justice and equality for all Iowans are the rulings printed in the books. But the same rights have been protected no less by Iowa's trial judges. Iowa's trial bench has its own long, proud history, commencing with those pioneer judges who forded rivers and followed "blind paths" to hold court in log cabins and crude jails. In those days the appearance of the judge and the lawyers, riding circuit, was a major attraction. We are told that the people who came "remained several days after the court had gone, amusing themselves by wrestling, running foot and horse races [and] swapping horses."

Today, Iowa's trial judges are still on the circuit, busier than ever, traveling over a million miles per year in all kinds of weather and road conditions, to bring justice to Iowa's rural counties.

Years hence, when the history of Iowa's judicial system is again recounted, it will be seen that the judicial branch in our times was on the brink of collapse, bowed down by a massive onslaught of cases. It was saved only through the vision and support of farsighted legislators and governors. This close and cooperative effort among its three branches of government has permitted Iowa to assume and maintain national leadership in judicial improvements and reforms. An appendix attached to the written message I leave today briefly summarizes many significant steps taken by statute and court order since 1962—all within the legislative careers of several of the present members of this assembly. Four landmark innovations deserve special mention.

The first came in 1962 when Iowa voters ratified a constitutional amendment, twice passed by the legislature, providing for merit selection of both supreme court and district court judges. In that year Iowa and Nebraska became the first two states to select all of their general jurisdiction trial and appellate judges on the basis of merit—nominated by bipartisan commissions, appointed by the governor, and retained or rejected on their record by the voters. Although thirty-five states now have adopted merit selection and tenure for some judges, only thirteen states use a merit plan for selecting all general jurisdiction trial and appellate judges. In other states, judges are often required to solicit and accept large contributions from the lawyers and special interest litigants who appear before them, and to spend time and energy off the bench campaigning, despite the fact they can promise only to follow the state and federal constitutions and laws and to treat litigants fairly and impartially. All Iowans should treasure the system that was envisioned and put in place here over two decades ago.

Another giant step forward became effective July 1, 1973, after the legislature adopted the Unified Trial Court Act. Abolished were the justice of peace courts, mayors' courts, municipal courts, superior courts and police courts. Thereafter, all judicial officers were state employees, and for the first time all trial judges were structured into one district court.

Thirdly, in 1976, at a time when Iowans with cases on appeal were subjected to a twenty-two month wait from the time their appeals were made ready until their cases could be heard by the supreme court, the legislature by statute provided for the Iowa Court of Appeals. In your last session you created one additional seat on that court. This position has been filled by a fine judge, Rosemary Shaw Sackett, and the court of appeals exceeded all prior annual efforts by deciding 555 appeals in 1983.

Finally, in the first session of this Seventieth General Assembly, after four years of careful study and with the agreement of Governor Branstad, you set in motion an historic, courageous and progressive innovation with the adoption of S.F. 495, the court reform and funding bill—a step unmatched by any other state legislature in 1983. All Iowans have to give you credit and commendation for the vision you demonstrated in a year of economic reversals. This bill, as you know, provides local property tax relief while phasing in the state funding of various court-related offices and functions. When fully implemented, the plan will provide for full state funding of the state court system.

When the supreme court endorsed the court reorganization bill for legislative consideration, we were convinced it was in the public interest. We knew parts of the proposed legislation would be controversial, and we realized it would and should be sharply debated. Along with nearly all Americans, judges believe in and are proud of the legislative process, so we were neither surprised nor disappointed by the tenacity of those who opposed, as well as those who favored, the measure. The debate on all sides was a constructive experience for those of us who serve the people through the judicial branch of government.

The time and effort you devoted in considering S.F. 495 have made the judicial branch all the more determined to fulfill our pledge to implement this reform with all possible efficiency, and on schedule. Since October 1, 1983, jury fees have been paid by the state, and the state since July 1, 1983, has received its 20 percent share of court revenues. Shorthand reporters will be paid by the state commencing July 1, 1984; court attendants commencing January 1, 1985. I am glad to report there has been widespread cooperation between judicial officers, court administrators, district court clerks, and county supervisors and auditors in studying and making necessary adjustments to county budgets.

Pursuant to your legislative directive, the supreme court has established a personnel classification system and a pay plan for court employees. We also have established statewide committees to devise standards and procedures for the orderly transition of juvenile probation officers and district court clerks from county to state employment.

Another provision of S.F. 495 requires me to include in this message our budget recommendations. In the past year we have lived within the appropriation you provided. Recognizing the shortfall in projected state revenues, we, like the other branches of government, are committed to help balance the state budget. We have monitored our expenditures closely, and we believe the judiciary again will be able to revert a significant portion of our allocation to the state treasury.

Our request for next fiscal year's funding has been tempered to support you in the difficult task you face this session. Our consolidated budget request is submitted to you now, as a separate document associated with our written message. Our intent is to hold the course with minor adjustments for some unavoidable costs, for one additional employee in our clerk's office, and for additional secretarial assistance for the expanded court of appeals.

We also are requesting the minimal funding required to bring our support staff personnel onto a pay plan equivalent to that of other state employees in similar positions. This will make it possible to establish and implement comparable worth directives pursuant to your S.F. 495 mandate, using as a basis your study of similar state positions.

We have included in the budget a separate schedule to implement your commitment, made to the counties and to Iowa's property tax payers, to assume state funding of the court system on the schedule you established last year. As already mentioned, the components scheduled to be funded in the next fiscal year are shorthand reporters and court attendants. We are pleased that Governor Branstad's

proposed state budget recommends that these positions be included in your appropriations for the next fiscal year. To ease the financial burden, we have been able to cut a half-million dollars from your fiscal note projecting the cost of next year's obligation.

We believe we have spared you the most difficult decisions involving our budget. It is already pared. Including the cost adjustments in assuming state court funding just referred to, we have cut approximately \$2,457,000 from last year's request. With this deletion we are asking trial judges to continue to cope, as best they can, with a burden of cases that remains impossibly heavy, and with little prospect of additional judges or additional support personnel for another year. We do this recognizing the potentially demoralizing effect it may have on our hardworking judges. Our primary obligation this year, however, must be to present to you a budget cut to our most basic needs. Thus we offer this budget trusting that in better economic times you will build upon it, ultimately funding the optimum level of judicial services expected and deserved by the citizens of Iowa.

My allotted time draws to a close, and there is no opportunity to explore other mutual interests: Our joint efforts with respect to the Iowa Rules of Evidence, which have been well received by bench and bar; the limitations on the concept of a user-funded trial court system; your experiments with dispute resolution centers; the continuing need to make Iowa's judicial retirement system actuarially sound; the problems of sentencing disparity; the concern that must be accorded the rights of crime victims; our efforts to curb juvenile delinquency and to interest young people in the processes of law and the peaceful resolutions of controversies through the design and development of a statewide educational program for all grades on the role and function of law and society, coupled with the joint efforts of the bench, The Iowa State Bar Association and the Iowa Center for Law-Related Education in a statewide high school mock trial competition; and the proposed rule changes we will submit for your approval in the areas of evidence, civil and criminal procedure, and hospitalization of substance abusers.

These interests and many others are mutual because we all serve the same people. In so serving, the Iowa Constitution assigns us different roles. In discharging those responsibilities, I am sure each branch grows in understanding and in respect for the other branches.

And so in closing, I ask you to reflect with me for a moment on the assigned role and responsibility of the judicial department. From frontier days to modern times it has daily served its necessary purposes, sometimes faltering and greatly stressed by its burden, but often performing so well that it is accepted without noting its high endeavors, vital functions, and minimal cost.

"The great ideals of liberty and equality," wrote Justice Cardozo, "are preserved against the assaults of opportunism, the expediency of the passing hour, the erosion of small encroachments, the scorn and derision of those who have no patience with general principles, by enshrining them in constitutions, and consecrating to the task of their protection a body of defenders."

Such defenders are often lonely and frequently unpopular. Supporting the judicial branch will not make headlines, or garner landslide votes, or invoke blood-surgeing applause. From the 1961 legislative session through the 1983 session of this General Assembly, however, the legislative branch, following its assigned responsibility, has taken the necessary measures to insure Iowans their most priceless heritage: the right to justice. In the difficult days that lie ahead, we know you will follow that high tradition.

Thank you very much.

Chief Justice Reynoldson was escorted from the House chamber by the committee previously appointed.

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

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

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

INTRODUCTION OF BILLS

Senate File 2069, by Holden, a bill for an act relating to the exemption certificate furnished by the state, its agencies,, and political subdivisions of the state for the delivery of tax-exempt motor fuel.

Read first time and passed on file.

Senate File 2070, 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.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:30 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., President Anderson presiding.

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

The Senate resumed session, President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2071, by Miller of Des Moines, a bill for an act to exempt the amount of social security benefits received from state income taxation.

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

Senate File 2072, by Miller of Des Moines, a bill for an act to provide for the revocation of an operator's permit or nonoperator's identification card for certain improper acts.

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

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

APPOINTMENTS TO BOARD AND COMMISSIONS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Junkins called up the following eligible appointees listed on the En Bloc Confirmation Calendar:

Committee recommendations found on page 98 of the Senate Journal:

Director, Iowa State Arts Council, Sam Grabarski

State Board of Nursing Examiners, Marjorie M. Matzen

Job Service Appeal Board, Kim D. Schmett

Council on Human Services, Paul M. Hasvold

State Comptroller, William L. Krah

City Finance Committee, Dean K. Albrecht

Iowa State Civil Rights Commission, Karl A. Nelson

Credit Union Review Board, H. Idris Thomas

Mental Health & Mental Retardation Commission, Phyllis K. Osborn and Mary L. Leonard

State Board of Examiners for Nursing Home Administrators, Ann Tank and James L. Tween

State Board of Physical & Occupational Therapy Examiners, Lois G. Campbell

State Board of Psychology Examiners, Cornelia V. Hoy

Board of Landscape Architectural Examiners, Dorothy Beck Sheil and Ronald S. Nieman

Iowa Board of Parole, Thomas R. Eller, committee recommendation found on page 151 of the Senate Journal.

Senator Junkins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gallagher

Kinley

Lind

The Chair ruled the appointments confirmed.

CONSIDERATION OF BILL (Regular Calendar)

House Joint Resolution 2

On motion of Senator Bruner, House Joint Resolution 2, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for representation of the District of Columbia in the congress, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (H.J.R 2) the vote was:

Ayes, 30:

Anderson
Carr
Dieleman
Horn
Junkins
Palmer
Slater
Wells

Briles
Coleman
Gallagher
Hulse
Mann
Priebe
Small
Welsh

Brown
Colton
Gentleman
Husak
Miller, A.V.
Readinger
Soorholtz

Bruner
Deluhery
Gettings
Hutchins
Miller, C.P.
Rodgers
Van Gilst

Nays, 17:

Doyle
Hall
Hultman
Ritsema
Waldstein

Drake
Hester
Jensen
Schwengels

Goodwin
Holden
Nystrom
Taylor

Gratias
Holt
Rife
Vande Hoef

Absent or not voting, 3:

Kinley

Lind

Tieden

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

WITHDRAWN

Senator Slater asked and received unanimous consent that Senate Joint Resolution 5 be withdrawn from further consideration of the Senate.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE JOINT
RESOLUTION 2001

State Government
Slater, Chair
Carr
Nystrom

SENATE FILE 512

Commerce
Holden, Chair
Palmer
Kinley

SENATE FILE 1013

Commerce
Palmer, Chair
Gallagher
Jensen

SENATE FILE 2017

Commerce
Gallager, Chair
Priebe
Tieden

SENATE FILE 2030

Natural Resources
Van Gijst, Chair
Goodwin
Hall

SENATE FILE 2033

Energy
Bruner, Chair
Gallagher
Hultman

SENATE FILE 2041

State Government
Nystrom, Chair
Welsh
Coleman

SENATE JOINT
RESOLUTION 2002

Rules & Administration
Hultman, Chair
Kinley
Hulse

SENATE FILE 2006

Natural Resources
Rodgers, Chair
Doyle
Rife

SENATE FILE 2015

Local Government
C. Miller, Chair
Briles
Goodwin

SENATE FILE 2019

Commerce
Priebe, Chair
Jensen
Nystrom

SENATE FILE 2031

Local Government
Wells, Chair
Brown
Goodwin

SENATE FILE 2036

Judiciary
Ritsema, Chair
Mann
Briles

SENATE FILE 2042

State Government
Dieleman, Chair
Bruner
Soorholtz

SENATE FILE 2044

State Government
Welsh, Chair
C. Miller
Rife

SENATE FILE 2050

Local Government
Waldstein, Chair
C. Miller
Briles

SENATE FILE 2053

Small Business & Economic
Development
Doyle, Chair
Hulse
Hutchins

SENATE FILE 2055

Judiciary
Gentleman, Chair
Welsh
Coleman

SENATE FILE 2059

Rules & Administration
Hutchins, Chair
Hultman
Jenkins

SENATE FILE 2061

Agriculture
Husak, Chair
Gallagher
Hester

**SENATE CONCURRENT
RESOLUTION 102**

Human Resources
C. Miller, Chair
Coleman
Briles

SENATE FILE 2046

State Government
Coleman, Chair
Schwengels
Gettings

SENATE FILE 2052

Judiciary
Ritsema, Chair
Small
Mann

SENATE FILE 2054

Judiciary
Gentleman, Chair
Welsh
Coleman

SENATE FILE 2057

Judiciary
Deluhery, Chair
Dieleman
Briles

SENATE FILE 2060

State Government
Slater, Chair
Welsh
Drake

SENATE FILE 2063

Small Business & Economic
Development
Hutchins, Chair
Anderson
Taylor

SSB 2022

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2023

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2025

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2027

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2029

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2031

Judiciary
Mann, Chair
Gentleman
Doyle

SSB 2024

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2026

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2028

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2030

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2032

Judiciary
Doyle, Chair
Dieleman
Horn
Small
Drake
Briles
Gentleman
Mann
Ritsema

SSB 2033

Judiciary
Doyle, Chair
Dieleman
Horn
Small
Drake
Briles
Gentleman
Ritsema
Mann

SSB 2035

Judiciary
Doyle, Chair
Dieleman
Horn
Small
Drake
Briles
Gentleman
Ritsema
Mann

SSB 2037

Natural Resources
Hall, Chair
Hester
Doyle

SSB 2039

Natural Resources
Gettings, Chair
Hall
Hester

SSB 2043

Judiciary
Small, Chair
Mann
Ritsema

SSB 2046

State Government
Bruner, Chair
Schwengels
Slater

SSB 2034

Judiciary
Doyle, Chair
Dieleman
Horn
Small
Drake
Briles
Gentleman
Ritsema
Mann

SSB 2036

Judiciary
Small, Chair
Ritsema
Mann

SSB 2038

Natural Resources
Gettings, Chair
Hall
Hester

SSB 2042

Judiciary
Mann, Chair
Ritsema
Small

SSB 2045

State Government
Carr, Chair
Slater
Bruner
Nystrom
Schwengels

SSB 2049

Judiciary
Mann, Chair
Horn
Holt

BILLS ASSIGNED TO COMMITTEE

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

S. F. 2066 State Government
S. F. 2067 Judiciary

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent on January 18, 1984.

Had I been present, I would have voted "aye" on the motion to reconsider Senate File 480; "aye" on final passage of Senate File 480; "aye" on the motion to reconsider Senate File 449; and "aye" on final passage of Senate File 449.

PATRICK J. DELUHERY

STUDY BILLS RECEIVED

S.S.B. 2045 State Government

Relating to the administration and benefits of certain public retirement systems and to make an appropriation.

S.S.B. 2046 State Government

To provide for the development of a proposal to reduce upper-level management positions in certain state agencies.

S.S.B. 2047 Education

Relating to the qualifications of the superintendent of public instruction.

S.S.B. 2048 Education

Relating to the day school shall commence for elementary and secondary schools each school year.

S.S.B. 2049 Judiciary

Relating to the certification of documents and providing a penalty.

REPORTS OF STANDING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Varel G. Bailey, Anita, Cass County, Iowa, for appointment as a member of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Joseph A. Borgen, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Gloria B. Fish, Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Judy K. Fitzgibbon, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of David H. Swanson, Ames, Story County, Iowa, for appointment as a member of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**

EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of M. J. Arts, Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa Product Development Corporation under the provisions of Chapter 207, Section 21, Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**

EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of A. Arthur Davis, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa Product Development Corporation under the provisions of Chapter 207, Section 21, Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**

EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Karla J. Fultz, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa Product Development Corporation under the provisions of Chapter 207, Section 21, Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**

EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of David L. Charles, West Des Moines, Polk County, Iowa, for appointment as a member of the Iowa Jobs Commission under the provisions of Chapter 207, Section 2, Acts of the Seventieth General Assembly, for a term beginning July 15, 1983, and ending June 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Jim D. Bixler, Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Small Business Advisory Council under the provisions of Chapter 207, Section 15, Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Doris A. Hansen, Sioux City, Woodbury County, Iowa, for appointment as a member of the Small Business Advisory Council under the provisions of Chapter 207, Section 15, Acts of the Seventieth General Assembly, for a two-year term beginning July 1, 1983, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Robert M. Kreamer, Des Moines, Polk County, Iowa, for appointment as a member of the Small Business Advisory Council under the provisions of Chapter 207, Section 15, Acts of the Seventieth General Assembly, for a four-year term beginning July 1, 1983, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

NOTICE OF HEARING

Jack C. Bailey, appointed by the Governor as Director of the Iowa Development Commission, will appear before the investigative subcommittee of the Small Business & Economic Development Committee on January 24, 1984, at 12:00 noon.

C. W. BILL HUTCHINS, Subcommittee Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 18, 1984, 9:30 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair and Hulse.

Members Absent: Gentleman, Ranking Member and Mann.

Other Committee Business: The committee toured the I.C.I.W. facility at Mitchellville; Susan Hunter, Superintendent, informed members of activities in several areas of the institution and residents told committee members of their interests; question and answer period directed to Susan Hunter and Hal Farrier, Director of the Division of Adult Corrections.

Adjourned: 12:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 18, 1984, 9:38 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Lind, Ranking Member; Hutchins and Nystrom.

Members Absent: none.

Other Committee Business: General discussion of budget.

Adjourned: 10:21 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 18, 1984, 9:40 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Discussed appropriations for Mississippi River Parkway Commission and Herbert Hoover Birthplace Memorial Foundation.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 18, 1984, 9:40 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Other Committee Business: Overview by the Iowa Department of Job Services.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 18, 1984, 9:45 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member and Taylor.

Members Absent: Anderson (excused.)

Other Committee Business: Final presentation by DSS of 1985 budget and projection process.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 18, 1984, 9:40 a.m.

Members Present: Dieleman, Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: Deluhery, Vice Chair (excused.)

Other Committee Business: LSB distributed new packets of information for the 1984 hearings; Sam Grabarski, Director of the Iowa State Arts Council, introduced

Mary Miller fiscal officer, Marilyn Parks, grants officer and Mary Tone, Art Council member. Mr. Grabarski reviewed the Council's Agency Profile all members received.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: January 18, 1984, 9:40 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: Presentations by the Iowa Law Enforcement Academy and the Iowa National Guard.

Adjourned: 11:40 a.m.

AGRICULTURE

Convened: January 18, 1984, 2:31 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Gallagher, Husak; Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; discussed drainage problems and additional federal relief for last summer's drought.

Adjourned: 3:02 p.m.

EDUCATION

Convened: January 18, 1984, 3:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Lind, Ritsema, Taylor and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 230, a bill for an act relating to the publication of the salaries of regular full-time employees of a school district.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Anderson, Brown, Colton, Gallagher, Gratias, Horn and Wells. Nays, 2: Lind and Ritsema. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 162, a bill for an act relating to the age of termination of education for children requiring special education.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Lind, Ritsema, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:15 p.m.

ENERGY

Convened: January 18, 1984, 1:30 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Brown, Bruner, Hultman, Hulse, C. Miller, Tieden, Van Gilst.

Members Absent: none.

Other Committee Business: Assigned Senate File 2033 to subcommittee; Dick Vohs and Dennis Guffy of the Energy Policy Council explained about home energy assistance and crisis assistance, and also the oil overcharge refund.

Adjourned: 2:15 p.m.

HUMAN RESOURCES

Convened: January 18, 1984, 2:35 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Briles, Coleman, Gratias, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: Gentleman, Ranking Member and Hall.

Other Committee Business: Frank Severino and Sal Bognanni, Director of the Health Policy Corporation, appeared before the committee; Steve Braun, Department of Health, reported on the Health Data Commission; Bruce Foudree,

Insurance Commissioner, discussed Blue Cross-Blue Shield issue regarding board of director nomination process; assigned SCR 102 to subcommittee.

Adjourned: 3:35 p.m.

STATE GOVERNMENT

Convened: January 19, 1984, 2:35 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman (arrived 2:40 p.m.), Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels Soorholtz and Welsh.

Members Absent: none.

Final Bill Action: SENATE JOINT RESOLUTION 2001, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Slater, Carr, Bruner, Coleman, Dieleman, Drake, C. Miller, Rife, Schwengels and Soorholtz, Nays, 4: Nystrom, Briles, Gettings and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2021 ordered redrafted as a committee bill.

Adjourned: 3:00 p.m.

TRANSPORTATION

Convened: January 19, 1984, 3:32 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member (arrived 3:40 p.m.); Doyle (arrived 3:42 p.m.), Hall, Jensen, Nystrom, Priebe and Welsh.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 489, a bill for an act authorizing volunteer members of a volunteer search or rescue service agency to use blue flashing lights on their privately-owned motor vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, A. Miller, Hall, Jensen, Nystrom, Priebe and Welsh. Nays, none. Absent or not voting, 3: Drake, Doyle and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; discussion on omnibus transportation bill.

Adjourned: 4:10 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. M. U. Broers, M.D., Schleswig, Iowa.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:48 p.m., until 10:00 a.m., Monday, January 23, 1984.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 23, 1984

The Senate met in regular session at 10:00 a.m., President pro tempore Miller presiding.

Prayer was offered by the Reverend Ron VanderHart, pastor of the Adelphic Calvary Baptist Church, Runnells, Iowa.

The Journal of Thursday, January 19, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Priebe for today and January 24 on request of Senator Junkins; Senator Hultman for the morning session on request of Senator Jensen.

INTRODUCTION OF BILLS

Senate File 2073, by Gallagher, a bill for an act establishing a capitol restoration fund, providing for an income tax checkoff for the capitol restoration fund and appropriating the moneys in the fund.

Read first time and passed on file.

Senate File 2074, by Vande Hoef, Deluhery, Hester, Rife, Taylor, Miller of Des Moines, Dieleman and Soorholtz, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty..

Read first time and passed on file.

Senate File 2075, by Bruner, a bill for an act relating to child support recoveries by affecting the statute of limitations for paternity actions, by establishing court jurisdiction over certain nonresidents in paternity and child support cases, by providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a

penalty, by establishing a statutory guide for setting the amount of monthly child support obligations, and by requiring the extension of certain health benefits coverages to children under a support order.

Read first time and passed on file.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the morning session on request of Senator Hutchins.

CONSIDERATION OF BILL (Ways and Means Calendar)

House File 658

On motion of Senator Gratias, House File 658, a bill for an act relating to the direct deposits of revenue and special assessments collected by the county treasurer, with report of committee recommending passage, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 658) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Readinger	Rife

Ritsema	Rodgers	Schwengels	Slater
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Hultman	Kinley	Mann
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 (Regular Calendar)

Senate File 497

On motion of Senator Horn, Senate File 497, a bill for an act relating to activities of the citizens' aide and members of the citizens' aide staff, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 497) the vote was:

Ayes, 29:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gentleman	Gettings
Hall	Horn	Husak	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Readinger	Ritsema	Rodgers
Schwengels	Slater	Small	Wells
Welsh			

Nays, 15:

Gallagher	Goodwin	Gratias	Hester
Holden	Holt	Hulse	Jensen
Rife	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	

Absent or not voting, 6:

Deluhery
Mann

Hultman
Priebe

Kinley

Lind

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

Senate File 2021

On motion of Senator Ritsema, Senate File 2021, a bill for an act relating to the tolling of a statute of limitations when restitution is ordered, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2021) the vote was:

Ayes, 46:

Anderson
Carr
Dieleman
Gentleman
Hall
Horn
Jensen
Miller, A.V.
Readinger
Schwengels
Taylor
Waldstein

Briles
Coleman
Doyle
Gettings
Hester
Hulse
Junkins
Miller, C.P.
Rife
Slater
Tieden
Welsh

Brown
Colton
Drake
Goodwin
Holden
Husak
Lind
Nystrom
Ritsema
Small
Vande Hoef

Bruner
Deluhery
Gallagher
Gratias
Holt
Hutchins
Mann
Palmer
Rodgers
Soorholtz
Van Gilst

Nays, none.

Absent or not voting, 4:

Hultman

Kinley

Priebe

Wells

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

House File 111

On motion of Senator Van Gilst, House File 111, a bill for an act relating to reseeded the topsoil of open ditches with prairie grass

seed, with report of committee recommending passage, was taken up for consideration.

Senator Van Gilst asked and received unanimous consent that further action on House File 111 be deferred.

CONFERENCE COMMITTEE REPORT ADOPTED

Senator Junkins asked and received unanimous consent to take up for consideration House File 359.

House File 359

Senator Hutchins called up the second conference committee report on House File 359, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, filed January 12, 1984, and moved its adoption.

A record roll call was requested.

On the question "Shall the conference committee report be adopted?" (H.F. 359) the vote was:

Ayes, 34:

Anderson	Briles	Brown	Bruner
Carr	Deluhery	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Holt	Hulse	Hultman
Hutchins	Junkins	Lind	Mann
Miller, A.V.	Nystrom	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 14:

Coleman	Colton	Doyle	Gallagher
Gettings	Holden	Horn	Husak
Jensen	Miller, C.P.	Palmer	Ritsema
Tieden	Welsh		

Absent or not voting, 2:

Kinley	Priebe
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The motion prevailed and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Hutchins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 359) the vote was:

Ayes, 33:

Anderson	Briles	Brown	Bruner
Carr	Deluhery	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Holt	Hulse	Hultman
Hutchins	Junkins	Lind	Miller, A.V.
Nystrom	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, 14:

Colton	Doyle	Gallagher	Gettings
Holden	Horn	Husak	Jensen
Mann	Miller, C.P.	Palmer	Ritsema
Tieden	Welsh		

Absent or not voting, 3:

Coleman	Kinley	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.

INTRODUCTION OF BILLS

Senate File 2076, by Vande Hoef, a bill for an act relating to the allowance of charges for jail incarceration.

Read first time and passed on file.

Senate File 2077, by Committee on Education, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

Read first time and placed on calendar.

Senate File 2078, by Wells, a bill for an act relating to the limitation on the number of terms served by a member of a professional and occupational licensing board.

Read first time and passed on file.

Senate File 2079, by Junkins, a bill for an act to establish an Iowa economic emergency fund and providing for its funding and expenditure.

Read first time and passed on file.

Senate File 2080, by Welsh, a bill for an act exempting from the state sales, services and use tax purchases by nonprofit associations of officers or administrators of private colleges or universities.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:09 p.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

ADOPTION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolution 103.

Senate Concurrent Resolution 103

On motion of Senator Junkins, Senate Concurrent Resolution 103, a resolution congratulating Governor and Mrs. Terry Branstad on the birth of their son, was taken up for consideration.

Senator Junkins moved the adoption of Senate Concurrent Resolution 103, which motion prevailed by a voice vote.

Senator Junkins asked and received unanimous consent that Senate Concurrent Resolution 103 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 2081, by Welsh, a bill for an act to transfer the responsibility for security of the state capitol complex from the department of public safety to the legislative council.

Read first time and passed on file.

Senate File 2082, by Committee on State Government, a bill for an act relating to the confidentiality of Iowa department of corrections records and providing a penalty.

Read first time and placed on calendar.

Senate File 2083, by Hultman, a bill for an act relating to the creation of a budget reserve fund and appropriating from that fund for educational aid.

Read first time and passed on file.

Senate File 2084, by Committee on State Government, a bill for an act relating to transition legislation for the Iowa department of corrections.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2068	Small Business & Economic Development
S. F.	2069	Ways and Means
S. F.	2070	Judiciary
S. F.	2071	Ways and Means
S. F.	2072	Transportation
H.F.	508	Transportation

FURTHER
REPORT OF COMMITTEE MEETING

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 190 of the Senate Journal.

Final Bill Action: SENATE FILE 2082 (SSB 2007), a bill for an act relating to the confidentiality of Iowa department of corrections records and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14, Slater, Carr, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF COMMITTEE ON
RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on rules and administration submits the following officers and employees with their respective classification and steps:

		Grade	Step
Research Analyst	Mike Heller	25	1
		Effective 1/16/84	
Administrative Assistant	Peter J. McNabb	15	1
		Effective 1/17/84	
Secretary	Flo Saf	Step 3 to Step 5	
		Effective 1/19/84	

Secretary

Paula Virtue

Grade 13 to Grade 15

Effective 1/17/84

Step 2 to Step 4

Effective 1/23/84

LOWELL L. JUNKINS, Chair

STUDY BILLS RECEIVED

S.S.B. 2050 Local Government

To provide temporary funding for the brucellosis and tuberculosis eradication fund.

S.S.B. 2051 Agriculture

Relating to the executive director, staff, and administrative expenses of the Iowa family farm development authority.

S.S.B. 2052 State Government

To provide that the board of medical examiners include two persons approved as physician's assistants as defined in chapter 148C.

S.S.B. 2053 Judiciary

Relating to the time within which to contest wills, file claims, make spousal elections and take certain other actions with respect to decedents' estates.

S.S.B. 2054 Judiciary

Relating to the accrual of prejudgment interest after a refusal to accept an offer to confess judgment.

S.S.B. 2055 Local Government

Prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home.

NOTICE OF CHANGE IN HEARING

Jack C. Bailey, appointed by the Governor as Director of the Iowa Development Commission, will appear before the investigative subcommittee of the Small Business & Economic Development Committee on January 26, 1984, at 8:00 a.m. instead of January 24, 1984, at 12:00 noon.

C.W. BILL HUTCHINS, Subcommittee Chair

REPORT OF STANDING COMMITTEE
(Place Nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Labor & Industrial Relations assigned to investigate the character and qualifications of James A. McClimon, Altoona, Polk County, Iowa, for appointment as a member of the Public Employment Relations Board under the provisions of Section 20.5, 1983 Code of Iowa, for a term beginning immediately 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**
TED ANDERSON, Chair

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 19, 1984, 2:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2077 (SSB 2020), a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 8: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema and Wells. Nays, 1: Taylor. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:50 p.m.

HUMAN RESOURCES

Convened: January 23, 1984, 1:30 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Coleman, Gratias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: Briles.

Final Bill Action: SENATE CONCURRENT RESOLUTION 102, a resolution designating February 11, 1984 as Freedom Fest 1984 celebrating Iowans' freedom from dependency on alcohol and other drugs.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Coleman, Gratiyas, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: John Fairweather, Legislative Liaison of the Iowa Department of Human Services, presented six proposals; also present was Gloria Conrad of the Department of Human Services and Vic Elias of the Iowa State Association of Counties.

Adjourned: 3:15 p.m.

JUDICIARY

Convened: January 23, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: none.

Final Bill Action: SENATE FILE 2005, a bill for an act relating to the taxing of costs in an action to enforce the terms of a dissolution, annulment, or separate maintenance decree.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2036, a bill for an act relating to the false use of a financial instrument.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2003 ordered redrafted as a committee bill.

Adjourned: 4:40 p.m.

LOCAL GOVERNMENT

Convened: January 19, 1984, 8:04 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Colton (arrived 8:06 a.m.), Goodwin, C. Miller, Vande Hoef and Waldstein.

Members Absent: Briles, Ranking Member; Brown and Mann.

Other Committee Business: Assigned bills to subcommittees; presentation by Mayor Larry Agran, City of Irvine, Ca.

Adjourned: 8:14 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: January 19, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Grattias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers.

Members Absent: Lind (excused.)

Other Committee Business: Assigned bills to subcommittees; approved Governor's appointees to the En Bloc Confirmation Calendar.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: January 18, 1984, 3:34 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Briles, Bruner, Coleman, Dieleman, Drake (arrived 3:37 p.m.) Gettings, C. Miller, Rife and Soorholtz.

Members Absent: Nystrom, Ranking Member (excused); Schwengels and Welsh.

Final Bill Action: SENATE FILE 2084 (SSB 2006), a bill for an act relating to transition legislation for the Iowa department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife and Soorholtz. Nays, none. Absent or not voting, 3: Nystrom, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2007 ordered redrafted as a committee bill.

Adjourned: 3:58 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Jeffrey Lenz, M.D., resident at Iowa Lutheran Hospital, Des Moines, Iowa.

PETITION

The following petition was presented and placed on file by:

Senator Wells from one hundred thirty-two residents of Linn County favoring legislation to lower the number of students riding on a school bus.

AMENDMENTS FILED

S-5035	S. F.	2063	Charles Bruner
S-5036	S. F.	2039	C.W. Bill Hutchins
S-5037	S. F.	230	Wally E. Horn

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:46 p.m., until 9:00 a.m., Tuesday, January 24, 1984.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 24, 1984

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

Prayer was offered by Sister Mary Frances Shafer of the Sisters of Charity of the Blessed Virgin Mary Order, Dubuque, Iowa.

The Journal of Monday, January 23, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hall for the day on request of Senator Junkins.

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 January 19, 1984, amended and passed the following bill in which the concurrence of the Senate is asked:

House File 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund.

This bill was read first time and passed on file.

INTRODUCTION OF BILL

Senate File 2085, by Mann, Carr, Horn, Colton, Slater, Bruner, Dieleman, and Welsh, a bill for an act prohibiting the treasurer of

state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business in or with the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:25 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Anderson presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

UNFINISHED BUSINESS (Deferred January 23, 1984)

House File 111

The Senate resumed consideration of House File 111, a bill for an act relating to reseeded the topsoil of open ditches with prairie grass seed, deferred January 23, 1984.

Senator Waldstein offered amendment S—5039 filed by Senators Waldstein, Hester and Goodwin from the floor to page 1 of the bill and moved its adoption.

Amendment S—5039 was adopted by a voice vote.

Senator Van Gilst moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 111) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Junkins
Lind	Mann	Miller, A.V.	Miller, C.P.
Palmer	Readinger	Rife	Ritama
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hall	Holden	Jensen	Kinley
Nystrom	Priebe		

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 Junkins asked and received unanimous consent to take up out of order Senate File 230.

Senate File 230

On motion of Senator Horn, Senate File 230, a bill for an act relating to the publication of the salaries of regular full-time employees of a school district, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S—5037 filed by him on January 23, 1984, to page 1 of the bill.

Senator Hutchins offered amendment S—5042 filed by Senators Hutchins and Van Gilst from the floor to amendment S—5037.

Senator Hutchins asked and received unanimous consent that action on amendment S—5037, amendment S—5042 to amendment S—5037 and Senate File 230 be deferred.

Senate File 489

On motion of Senator Welsh, Senate File 489, a bill for an act authorizing volunteer members of a volunteer search or rescue service agency to use blue flashing lights on their privately-owned motor vehicles, was taken up for consideration.

Senator Welsh withdrew amendment S—3420 filed by him on March 30, 1983, to strike everything after the enacting clause and to the title page of the bill.

Senator Husak asked and received unanimous consent that action on Senate File 489 be deferred.

House File 162

On motion of Senator Gratias, House File 162, a bill for an act relating to the age of termination of education for children requiring special education, with report of committee recommending passage, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 162) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hall
Van Gilst

Kinley

Priebe

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 230

The Senate resumed consideration of Senate File 230, amendment S—5037 and amendment S—5042 to amendment S—5037, previously deferred.

Senator Hutchins asked and received unanimous consent to withdraw amendment S—5042 to amendment S—5037.

Senator Junkins asked and received unanimous consent that action on amendment S—5037 and Senate File 230 be deferred.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 104, by Junkins and Hultman, a concurrent resolution relating to federal highway funds and the release of interstate cost estimates.

Read first time and passed on file.

INTRODUCTION OF BILL

Senate File 2086, by Committee on State Government, a bill for an act relating to the liability of an auctioneer who sells personal property subject to a security interest.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2073	Ways and Means
S. F.	2074	Human Resources
S. F.	2075	Judiciary
S. F.	2076	Judiciary
S. F.	2078	State Government
S. F.	2079	Finance
S. F.	2080	Ways and Means
S. F.	2081	State Government
S. F.	2083	Finance

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate on January 23, 1984 for the morning session.

Had I been present I would have voted "aye" on House File 658 and on Senate File 497.

PATRICK J. DELUHERY

STUDY BILLS RECEIVED

S.S.B. 2056 Education

Relating to programs for returning dropouts and dropout prevention by a local school district.

S.S.B. 2057 State Government

Relating to exemptions from the requirements that buildings be designed by registered architects.

S.S.B. 2058 Judiciary

Relating to the liability for torts committed by offenders assigned to perform unpaid work assignments or community service.

S.S.B. 2059 Judiciary

Relating to the use of juvenile records in the sentencing of an offender.

COMMUNICATION

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

IOWA DEPARTMENT OF TRANSPORTATION

On January 24, 1984, received a copy of the 1983 Iowa Airport Sufficiency Ratings published annually required by Chapter 328 of the Code of Iowa.

Additional copies available upon request to the Office of advanced planning.

REPORTS OF STANDING COMMITTEES

(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of the following appointees as members of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Donna Keppy, Wilton, Cedar County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Robert D. Looft, Council Bluffs, Pottawattamie County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Becky S. Richardson, Stockton, Muscatine County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

James L. Churchill, Solon, Linn County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Thomas A. Mefferd, Laurens, Pocahontas County, Iowa, for a four-term beginning July 1, 1983, and ending April 30, 1987.

Rex Montgomery, Iowa City, Johnson County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of the following appointees as members of the Small Business Advisory Council under the provisions of Chapter 207, Section 15, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Arden L. Kiefer, Belmond, Wright County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Eugene H. Philip, Sibley, Osceola County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Larry D. Clement, Fort Dodge, Webster County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Richard S. Burchett, Harlan, Shelby County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Florine Swanson, Galt, Wright County, Iowa, for appointment as a member of the Iowa Product Development Corporation under the provisions of Chapter 207, Section 21, Acts of the Seventieth General Assembly, 1983 Regular Session, for a two-year beginning July 1, 1983, and ending April 30, 1985 begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the character and qualifications of the following appointees as members of the Board of Corrections under provisions of Chapter 96, Section 5, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Billie D. Lloyd, Davenport, Scott County, Iowa, for a term beginning immediately and ending April 30, 1985.

Yvonne M. Schildberg, Greenfield, Adair County, Iowa, for a term beginning immediately and ending April 30, 1985.

Michael W. Mahaffey, Montezuma, Poweshiek County, Iowa, for a term beginning immediately and ending April 30, 1986.

Jack Paschall, Anamosa, Jones County, Iowa, for a term beginning immediately and ending April 30, 1986.

Gary L. Baugher, Ankeny, Polk County, Iowa, for a term beginning immediately and ending April 30, 1987.

Harold C. McCormick, Manchester, Delaware County, Iowa, for a term beginning immediately and ending April 30, 1987.

Donald O. Vold, Forest City, Winnebago County, Iowa, for a term beginning immediately and ending April 30, 1987.

COMMITTEE ON STATE GOVERNMENT
TOM SLATER, Chair

REPORT OF STANDING COMMITTEE
(Place Nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the character and qualifications of Harold Farrier, West Des Moines, Polk County, Iowa, for appointment as Director of the Department of Corrections under the provisions of Chapter 96.8, Acts of the Seventieth General Assembly, 1983 Regular Session, for a term beginning at the pleasure of the Governor begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
TOM SLATER, Chair

REPORTS OF COMMITTEE MEETINGS

LABOR AND INDUSTRIAL RELATIONS

Convened: January 23, 1984, 1:40 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair; Hulse, Ranking Member; Colton, Gettings, Hultman, Hutchins, Jensen and Vande Hoef.

Members Absent: Wells (excused.)

Other Committee Business: Assigned Senate File 2040 to subcommittee; recommended approval appointment of James A. McClimon to Public Employment Relations Board.

Adjourned: 1:47 p.m.

LOCAL GOVERNMENT

Convened: January 24, 1984, 8:02 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member (arrived 8:13 a.m.); Brown (arrived 8:07 a.m.), Goodwin, Mann (arrived 8:10 a.m.), C. Miller, Vande Hoef and Waldstein.

Members Absent: Colton.

Final Bill Action: SENATE FILE 2015, a bill for an act relating to information in published notices of contracts awarded by public agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 6: A. Miller, Wells, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 4: Briles, Brown, Colton and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2050, a bill for an act relating to the election and terms of office of sanitary district trustees.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Wells, Brown, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Briles, Colton and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 71.

Other Committee Business: Assigned bills to subcommittees; presentation by John Torbert of the Iowa State Association of Counties.

Adjourned: 8:30 a.m.

STATE GOVERNMENT

Convened: January 24, 1984, 2:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: none.

Final Bill Action: SENATE FILE 2042, a bill for an act abolishing the council on child abuse information.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2086 (SSB 2021), a bill for an act relating to the liability of an auctioneer who sells personal property subject to a security interest.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; recommended confirmation of appointments to boards or commissions.

Adjourned: 2:45 p.m.

WAYS AND MEANS

Convened: January 23, 1984, 1:34 p.m.

Members Present: Palmer, Chair; Holden, Ranking Member (arrived 1:35 p.m.); Carr (arrived 1:37 p.m.), Deluhery, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers (arrived 1:36 p.m.), Small (arrived 1:36 p.m.), Soorholtz (arrived 1:36 p.m.) and Van Gilst.

Members Absent: Husak, Vice Chair and Brown.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:37 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Edward Schelonka, M.D., resident at Iowa Lutheran Hospital, Des Moines, Iowa.

AMENDMENTS FILED

S-5038	S. F.	230	William W. Dieleman
S-5039	H.F.	111	Arne Waldstein
			Jack W. Hester
			Norman J. Goodwin
S-5040	S. F.	230	William W. Dieleman
S-5041	S. F.	2039	Calvin O. Hultman
S-5042	S. F.	230	C.W. Bill Hutchins
			Bass Van Gilst
S-5043	S. F.	2046	C.W. Bill Hutchins
S-5044	S. F.	2077	Joe Brown

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:28 p.m., until 9:00 a.m., Wednesday, January 25, 1984.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 25, 1984

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

Prayer was offered by Reverend Leslie Boone, pastor of the Westminister United Presbyterian Church, Des Moines, Iowa.

The Journal of Tuesday, January 24, 1984, was approved.

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 January 23, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 602, a bill for an act repealing the requirement for a study to determine the percentage of motor fuel tax collected that derives from motor fuel used in watercraft.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2087, by Horn, a bill for an act requiring severe weather warnings to be issued on all channels of a cable television system.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 9:10 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., President Anderson presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 102, by Committee on Agriculture, a resolution asking that the entire state of Iowa be declared an agricultural-disaster area.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 2088, by Committee on Transportation, a bill for an act providing incentives for the purchase of child restraint systems which meet federal motor vehicle standards and providing effective dates.

Read first time and placed on calendar.

Senate File 2089, by Committee on Transportation, a bill for an act relating to the safety of persons being transported or traversing the highways and providing penalties.

Read first time and placed on calendar.

Senate File 2090, by Lind, a bill for an act allowing a designee of a school superintendent to certify a student's special need for a restricted license for travel to and from school.

Read first time and passed on file.

Senate File 2091, by Vande Hoef, a bill for an act relating to the acquisition of legal settlement by persons hospitalized in or receiving treatment at a state mental health institute.

Read first time and passed on file.

Senate File 2092, by Vande Hoef, a bill for an act to allow a credit for the unexpired portion of the registration fees on motor vehicles traded, toward the registration fee on a newly-acquired motor vehicle.

Read first time and passed on file.

Senate File 2093, by Junkins, a bill for an act relating to publication of notice for zoning actions taken under chapter 414.

Read first time and passed on file.

Senate File 2094, by Hall, a bill for an act relating to the regulation of firearms by a political subdivision.

Read first time and passed on file.

Senate File 2095, by Hall, a bill for an act providing a penalty for violation of requirements for setting aside handicapped parking spaces.

Read first time and passed on file.

Senate File 2096, by Waldstein, a bill for an act relating to the authority of the department of water, air and waste management regarding the restoration, maintenance or improvement of a drainage district.

Read first time and passed on file.

Senate File 2097, by Taylor, a bill for an act relating to the time of mailing absentee ballots to members of the armed forces.

Read first time and passed on file.

Senate File 2098, by Deluhery, a bill for an act relating to the liability for torts committed by offenders assigned to perform unpaid community service.

Read first time and passed on file.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the remainder of the day on request of Senator Hultman.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 102.

Senate Concurrent Resolution 102

On motion of Senator Miller of Des Moines, Senate Concurrent Resolution 102, a resolution designating February 11, 1984, as a day to celebrate freedom from alcohol and drug dependency, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines moved the adoption of Senate Concurrent Resolution 102, which motion prevailed by a voice vote.

Senator Junkins asked and received unanimous consent that Senate Concurrent Resolution 102 be immediately messaged to the House.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2036.

Senate File 2036

On motion of Senator Ritsema, Senate File 2036, a bill for an act relating to the false use of a financial instrument, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2036) the vote was:

Ayea, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Kinley

Tieden

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 Junkins asked and received unanimous consent that **Senate File 230** be referred from the **Unfinished Business Calendar** to the committee on **Education**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2085	State Government
S. C.R.	104	Transportation
H.F.	2072	Appropriations

STUDY BILLS RECEIVED

S.S.B. 2060 State Government

Relating to the licensure of dietitians and nutritionists.

S.S.B. 2061 State Government

Establishing a parking lot revolving fund which would provide for income generating parking accommodations on the capitol complex.

S.S.B. 2062 Local Government

Relating to publication of notice for zoning actions taken under chapter 414.

S.S.B. 2063 Commerce

Providing for the transfer of fiduciary accounts among affiliates.

S.S.B. 2064 Education

Relating to the publication of warrants by a school district.

S.S.B. 2065 Education

Relating to the issuance, termination, and requirements for teachers' contracts.

S.S.B. 2066 Commerce

Removing the priority of a mortgage given by the trustees of a cooperative housing association over any mortgage, lien, or

encumbrance against an individual apartment or room or the owner's interest in an individual apartment or room.

S.S.B. 2067 State Government

Relating to legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services as drafted in accordance with Public Law 94-519.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 24, 1984, 9:40 a.m.

Members Present: Carr, Chair; Gentleman, Ranking Member and Hulse.

Members Absent: Doyle, Vice Chair and Mann (both excused.)

Other Committee Business: Susan Hunter, Superintendent, Iowa Correctional Institution for Women at Mitchellville; Paul Grossheim, Deputy, Department of Corrections; Jeanette Bucklew, Women's Coordinator, Department of Corrections and Charles Palmer, Deputy Commissioner of Mental Health and Mental Retardation, appeared before the committee for presentations and to answer questions.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 24, 1984, 9:42 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Lind, Ranking Member; Hutchins and Nystrom.

Members Absent: none.

Other Committee Business: Hearings for the Commission for the Blind and Board of Regents.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 24, 1984, 9:40 a.m.

Members Present: Gallagher, Vice Chair; Vande Hoef, Ranking Member and Hester.

Members Absent: Hall, Chair and Priebe (both excused.)

Other Committee Business: Presentation by the Iowa State Fair Board.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 24, 1984, 9:33 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Other Committee Business: Presentation by the OSHA Review Board.

Adjourned: 9:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 24, 1984, 9:40 a.m.

Members Present: Dieleman, Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: Deluhery, Vice Chair.

Other Committee Business: Mr. William Angrick, Director of the Citizens Aide/Ombudsman, reviewed the department's profile.

Adjourned: 10:06 a.m.

• AGRICULTURE

Convened: January 23, 1984, 3:30 p.m.

Members Present: Van Gilst, Vice Chair; Hester, Ranking Member; Gallagher, Husak, Hutchins, A. Miller, Taylor (arrived 3:43 p.m.), Vande Hoef and Waldstein.

Members Absent: Priebe, Chair (excused.)

Final Bill Action: SENATE RESOLUTION 102, a resolution requesting that the entire State of Iowa be declared an agricultural disaster area.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Discussed SSB 2051.

Adjourned: 3:56 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 24, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratias, Hulse, Hutchins, Lind, Mann, A. Miller, Readinger and Rodgers.

Members Absent: none.

Other Committee Business: Presentation of SBA program by Lou Wood of CIRAS and Lloyd Anderson, with SBA and ISU Extension Department; recommended confirmation of Governor's appointees.

Adjourned: 2:30 p.m.

TRANSPORTATION

Convened: January 24, 1984, 3:40 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Jensen, Lind, Nystrom and Welsh.

Members Absent: Hall and Priebe (excused.)

Final Bill Action: SENATE FILE 2088, a bill for an act providing incentives for the purchase of child restraint systems which meet federal motor vehicle standards and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Jensen, Lind, Nystrom and Welsh. Nays, none. Absent or not voting, 2: Hall and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2089, a bill for an act relating to the safety of persons being transported or traversing the highways and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Jensen, Lind, Nystrom and Welsh. Nays, none. Absent or not voting, 2: Hall and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; discussed Senate File 2027 and proposed legislation dealing with drainage ditches.

Adjourned: 4:15 p.m.

COMMUNICATION

The following communication was filed with the Secretary of the Senate on January 23, 1984:

January 20, 1984

Ma. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

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

These include 6 claims of a general nature. This supplements our filing of December 27, 1983.

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

Very truly yours,
RICHARD D. JOHNSON
State Appeal Board

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

**OFFICE
STATE COMPTROLLER**

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
1378-70-25	Heritage Farms, Ltd. Lester, Iowa Corporate license fee refund.	\$105.00	Disapproved
1414-70-25	Daniel Brant, dba Brant Agri-Business, Ltd. Anthon, Iowa Vehicle registration refund.	66.00	Disapproved
1451-70-25	Betty A. Alexander Carthage, Illinois License fee refund.	20.25	Disapproved
1467-70-25	Dubuque Packing Co. Dubuque, Iowa Fuel tax refund.	555.06	Disapproved
1501-70-25	Lord Electric Co., Inc. West Chicago, Illinois Motor vehicle fuel refund.	3,981.57	Disapproved
1515-70-25	B & C Transfer Charles N. Caskey, Owner Sioux City, Iowa Vehicle registration refund.	121.80	Disapproved

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald J. Teadall, M.D., Des Moines, Iowa.

AMENDMENT FILED

S—5045 S. J. R. 2001 Lowell L. Junkins
 Calvin O. Hultman

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:12 p.m., until 9:00 a.m., Thursday, January 26, 1984.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, January 26, 1984

The Senate met in regular session at 9:02 a.m., President Anderson presiding.

Prayer was offered by Father Carl Leveling, pastor of the St. Paul's Catholic Church, Burlington, Iowa.

The Journal of Wednesday, January 25, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the day 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 January 23, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2006, a bill for an act requiring the department of human services to adopt rules relating to the release of a child from a registered family day care home or group day care home.

This bill was read first time and passed on file.

House File 2101, a bill for an act authorizing an area education agency to issue warrants and anticipatory warrants and providing for the payment of interest.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2099, by Priebe, a bill for an act to require competitive bidding procedures for a project for renovation or

remodeling of physical facilities used or to be used by the general assembly or legislative agencies under the jurisdiction of the legislative council where the cost of the project is twenty-five thousand dollars or more.

Read first time and passed on file.

Senate File 2100, by Priebe, a bill for an act authorizing the board of supervisors to grant a property tax exemption for new businesses.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:11 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., President Anderson presiding.

QUORUM CALL

Senator Junkins 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 BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2082.

Senate File 2082

On motion of Senator Drake, Senate File 2082, a bill for an act relating to the confidentiality of Iowa department of corrections records and providing a penalty, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2082) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Schwengels Tieden

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 Schwengels for the remainder of the day on request of Senator Hultman.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2084.

Senate File 2084

On motion of Senator Drake, Senate File 2084, a bill for an act relating to transition legislation for the Iowa department of corrections, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2084) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Schwengels Tieden

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

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that Senate File 2015 be referred from the Regular Calendar to the committee on Local Government.

Senator Junkins asked and received unanimous consent that Senate File 2077 be referred from the Regular Calendar to the committee on Education.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2042.

Senate File 2042

On motion of Senator Bruner, Senate File 2042, a bill for an act abolishing the council on child abuse information, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2042) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Schwengels Tieden

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

Senate File 2050

On motion of Senator Holt, Senate File 2050, a bill for an act relating to the election and terms of office of sanitary district trustees, with report of committee recommending passage, was taken up for consideration.

Senator Holt offered amendment S—5051 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5051 was adopted by a voice vote.

Senator Holt moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2050) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Oolton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Schwengels Tieden

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2086.

Senate File 2086

On motion of Senator Soorholtz, Senate File 2086, a bill for an act relating to the liability of an auctioneer who sells personal property subject to a security interest, was taken up for consideration.

Senator Dieleman offered amendment S—5048 filed by Senators Dieleman and Soorholtz from the floor to page 1 of the bill and moved its adoption.

Amendment S—5048 was adopted by a voice vote.

Senator Soorholtz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2086) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Schwengels Tieden

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

CONFIRMATION OF APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Junkins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Iowa High Technology Council, committee recommendations found on pages 183-184 of the Senate Journal:

Joseph A. Borgen
Gloria B. Fish
Judy K. Fitzgibbon
David H. Swanson

Committee recommendations found on page 212 of the Senate Journal:

James L. Churchill
Donna Keppy
Robert D Looft

Thomas A. Mefferd
Rex Montgomery
Becky S. Richardson

Iowa Product Development Corporation, committee recommendations found on page 184 of the Senate Journal:

A. Arthur Davis
Karla J. Fultz
Florine Swanson, committee recommendation found on page 213 of the Senate Journal.

Small Business Advisory Council, committee recommendations found on page 185 of the Senate Journal:

Jim D. Bixler
Robert M. Creamer

Committee recommendations found on page 213 of the Senate Journal:

Larry D. Clement
Richard S. Burchett
Arden L. Kiefer
Eugene H. Philip

Board of Corrections, committee recommendations found on pages 213-214 of the Senate Journal:

Gary L. Baugher
Billie D. Lloyd
Harold C. McCormick
Michael W. Mahaffey
Jack Paschall
Yvonne M. Schildberg
Donald O. Vold

Jobs Commission

David L. Charles, committee recommendation found on page 185 of the Senate Journal.

Public Employment Relations Board

James A. McClimon, committee recommendation found on page 202 of the Senate Journal.

Senator Junkins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees 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	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Schwengels Tieden

The Chair declared the appointments confirmed.

WITHDRAWN

Senator Kinley asked and received unanimous consent that Senate File 488 be withdrawn from further consideration of the Senate.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following messages was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 24, 1984, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 103, a resolution congratulating Governor and Mrs. Terry Branstad on the birth of their son, Marcus Andrew Branstad.

INTRODUCTION OF BILLS

Senate Joint Resolution 2003, by Deluhery, Gentleman, Colton, Husak, Kinley, A. Miller, Rodgers; C. Miller, Gallagher, Readinger, a joint resolution repealing Senate Joint Resolution 1 of the 1979 Session of the Iowa General Assembly relating to a request for a constitutional convention.

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

Senate File 2101, by Taylor, a bill for an act relating to the commitment of children beyond their eighteenth birthday to the state training school.

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

Senate File 2102, by Committee on Agriculture, a bill for an act relating to the executive director, staff, and administrative expenses of the Iowa family farm development authority.

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

Senate File 2103, by Anderson, a bill for an act relating to what constitutes discounts on transactions involving farm equipment and related products for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect.

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

Senate File 2104, by Committee on Judiciary, a bill for an act relating to the collections of fines and penalties by a county attorney.

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

Senate File 2105, by Dieleman, a bill for an act relating to the interconnection of private drainage ways.

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

Senate File 2106, by Lind, a bill for an act relating to distribution of certain tickets by the state board of regents.

Read first time and passed on file.

Senate File 2107, by Vande Hoef, a bill for an act relating to the repair of private drainage ways.

Read first time and passed on file.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 2001

Ways & Means
Carr, Chair
Brown
Readinger

SENATE FILE 2027

Transportation
Priebe, Chair
Jensen
Coleman

SENATE FILE 2032

Education
Lind, Chair
Taylor
Ritsema

SENATE FILE 2037

Ways & Means
Small, Chair
Hester
Dieleman

SENATE FILE 2039

Ways & Means
Brown, Chair
Soorholtz
Husak

SENATE FILE 2043

Ways & Means
Palmer, Chair
Rodgers
Gratias

SENATE FILE 2048

Ways & Means
Carr, Chair
Small
Readinger

SENATE FILE 2007

Ways & Means
Holt, Chair
Van Gilst
Carr

SENATE FILE 2029

Transportation
Priebe, Chair
Hall
Drake

SENATE FILE 2034

Transportation
Priebe, Chair
Jensen
Nystrom

SENATE FILE 2038

Commerce
Deluhery, Chair
Gallagher
Tieden

SENATE FILE 2040

Labor & Industrial Relations
Hutchins, Chair
Anderson
Hultman

SENATE FILE 2047

Ways & Means
Dieleman, Chair
Soorholtz
Deluhery

SENATE FILE 2049

Ways & Means
Gratias, Chair
Holt
Dieleman

SENATE FILE 2051

Ways & Means
Van Gilst, Chair
Palmer
Dehivery

SENATE FILE 2058

Education
Lind, Chair
Horn
Wells

SENATE FILE 2065

Ways & Means
Dieleman, Chair
Van Gilst
Holt

SENATE FILE 2067

Judiciary
Doyle, Chair
Mann
Welsh
Ritserna
Holt
Gentleman
Coleman

SENATE FILE 2070

Judiciary
Ritserna, Chair
Coleman
Gentleman

SENATE FILE 2075

Judiciary
Small, Chair
Drake
Coleman

SENATE FILE 2078

State Government
C. Miller, Chair
Slater
Carr
Briles
Drake

SENATE FILE 2056

Ways & Means
Palmer, Chair
Rodgers
Dieleman
Readerger
Gratias

SENATE FILE 2064/

Transportation
Hall, Chair
Nystrom
Drake

SENATE FILE 2066

State Government
Rife, Chair
Soorholtz
Slater

SENATE FILE 2068

Small Business &
Economic Development
Rodgers, Chair
Hutchins
Gratias

SENATE FILE 2072

Transportation
Doyle, Chair
Hall
Jensen

SENATE FILE 2076

Judiciary
Mann, Chair
Dehivery
Gentleman

SENATE FILE 2081

State Government
Gettings, Chair
Nystrom
Welsh

SENATE FILE 2085

State Government
Slater, Chair
Bruner
Schwengels

HOUSE FILE 586

Transportation
Coleman, Chair
Priebe
Lind

SSB 2020

Education
Colton, Chair
Gratias
Brown

SSB 2041

Education
Brown, Chair
Gratias
Colton

SSB 2048

Education
Brown, Chair
Gallagher
Lind

SSB 2052

State Government
C. Miller, Chair
Slater
Carr
Briles
Welsh

SSB 2054

Judiciary
Ritsema, Chair
Horn
Deluhery

SSB 2056

Education
Anderson, Chair
Gratias
Wells

HOUSE FILE 508

Transportation
Coleman, Chair
Doyle
Jensen

HOUSE FILE 2072

Appropriations
Small, Chair
Tieden
Bruner
Welsh
Lind

SSB 2040

Education
Colton, Chair
Gratias
Brown

SSB 2047

Education
Anderson, Chair
Gallagher
Ritsema

SSB 2050

Local Government
Briles, Chair
Goodwin
C. Miller

SSB 2053

Judiciary
Mann, Chair
Gentleman
Small

SSB 2055

Local Government
A. Miller, Chair
Briles
Wells

SSB 2057

State Government
C. Miller, Chair
Slater
Carr
Briles
Drake

SSB 2058

Judiciary
Gentleman, Chair
Horn
Welsh

SSB 2059

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2060

State Government
C. Miller, Chair
Slater
Carr
Briles
Drake

SSB 2061

State Government
Coleman, Chair
Welsh
Schwengels

SSB 2062

Local Government
Wells, Chair
Mann
Waldstein

SSB 2063

Commerce
Holden, Chair
Palmer
Priebe

SSB 2066

Commerce
Palmer, Chair
Bruner
Jensen

SSB 2067

State Government
Schwengels, Chair
Drake
Gettings

SSB 2068

Judiciary
Mann, Chair
Gentleman
Small

SSB 2069

Judiciary
Mann, Chair
Gentleman
Small

SSB 2070

Judiciary
Gentleman, Chair
Ritsema
Mann

SSB 2071

Judiciary
Gentleman, Chair
Deluhery
Small

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 60, the following Senators were appointed to a subcommittee of the standing committee on:

EDUCATION: As a member of the Iowa Higher Education Loan Authority:

MARY B. HALDANE

Horn, Chair

Gallagher

Ritsema

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2087	Commerce
S. F.	2090	Transportation
S. F.	2091	Human Resources
S. F.	2092	Transportation
S. F.	2093	Local Government
S. F.	2094	Local Government
S. F.	2095	Judiciary
S. F.	2096	Natural Resources
S. F.	2097	State Government
S. F.	2098	Judiciary
H. F.	602	Natural Resources

FURTHER REPORT OF COMMITTEE MEETING

AGRICULTURE*

*A previous report of this meeting was recorded on page 225 of the Senate Journal.

Final Bill Action: SENATE FILE 2102 (SSB 2051), a bill for an act relating to the executive director, staff, and administrative expenses of the Iowa Family Farm Development Authority.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gallagher, Hester, A. Miller, Husak, Hutchins, Taylor, Vande Hoef, Van Gilst and Waldstein. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

S.S.B. 2068 Judiciary

Revising the definition of "child in need of assistance" with respect to children who have been sexually exploited.

S.S.B. 2069 Judiciary

Relating to the crime of incest.

S.S.B. 2070 Judiciary

Relating to sexual abuse committed by engaging in a sex act against the will of the other participant.

S.S.B. 2071 Judiciary

Relating to the penalty for the offense of contributing to juvenile delinquency or dependency.

S.S.B. 2072 Agriculture

Relating to license fees, inspection fees, and other fees charged by the commerce commission under chapters 542 and 543.

S.S.B. 2073 Agriculture

Establish the Iowa grain indemnity authority.

S.S.B. 2074 Labor and Industrial Relations

Allow limited child modeling under the child labor laws.

REPORTS OF STANDING COMMITTEES

(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of the following appointees as members of the Jobs Commission under the provisions of Chapter 207, Section 2, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Norma J. Harmison, Indianola, Warren County, Iowa, for a two-year term beginning July 15, 1983, and ending June 30, 1985.

Lyle A. Hellyer, Ottumwa, Wapello County, Iowa, for a two-year term beginning July 15, 1983, and ending June 30, 1985.

Ronald H. Schectman, Carroll, Carroll County, Iowa, for a two-year term beginning July 15, 1983, and ending June 30, 1985.

**SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair**

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of the following appointees as members of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Charles E. Gifford, Newton, Jasper County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Donald P. Rowen, Des Moines, Polk County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

**SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair**

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of the following appointees as members of the Iowa Product Development Corporation under the provisions of Chapter 207, Section 21, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Daniel K. Dittmore, Dubuque, Dubuque County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

Donald D. Gingerich, Parnell, Iowa County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

**SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair**

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of the following appointees as members of the Small Business Advisory Council under the provisions of Chapter 207, Section 15, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Darlene J. Coomes, Dubuque, Dubuque County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Connie Wimer, Des Moines, Polk County, Iowa, for a four-year term beginning July 1, 1983, and ending April 30, 1987.

SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 25, 1984, 9:40 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member and Hulse.

Members Absent: Mann.

Other Committee Business: Individuals from the Division of Mental Health, Mental Retardation and Developmental Disabilities gave presentations and answered questions.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 25, 1984, 9:42 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Lind, Ranking Member; Hutchins and Nystrom.

Members Absent: none.

Other Committee Business: Hearing for the Department of Public Instruction.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 25, 1984, 9:40 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Presented request list to the Iowa Development Commission; heard budget requests from Department of Water, Air and Waste Management.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 25, 1984, 9:40 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Other Committee Business: Presentation by the Board of Landscape Architectural Examiners and the Iowa Real Estate Commission.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 25, 1984, 10:15 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: Department presentation of ADC budget and the budget for the Indian program.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 25, 1984, 9:40 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: none.

Other Committee Business: Budget proposals were presented by the following: Dr. Adrian Anderson, Director of the Historical Department; Tom Miller, Attorney General; and David Roederer, Director of the Criminal and Juvenile Justice Planning Agency.

Adjourned: 11:24 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: January 24, 1984, 9:35 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair, Holt, Ranking Member, Holden and Coleman.

Members Absent: none.

Other Committee Business: Overview of the Department of Public Safety's budget requests.

Recessed until January 25, 1984 at 9:30 a.m.

Reconvened: January 25, 1984, 9:40 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member, Holden and Coleman.

Members Absent: none.

Other Committee Business: Continuation of the Department of Public Safety's budget requests.

Adjourned: 11:40 a.m.

JUDICIARY

Convened: January 25, 1984, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh.

Members Absent: Briles and Small.

Final Bill Action: SENATE FILE 2035, a bill for an act relating to the requirement that the court personally address a defendant when a plea of guilty to a serious misdemeanor is entered by, or on behalf of, a defendant.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5046.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 3: Briles, Deluhery and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2054, a bill for an act relating to the violation of a custodial order, and applying a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Welsh and Deluhery. Nays, none. Absent or not voting, 2: Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2104 (SSB 2003), a bill for an act relating to the collections of fines and penalties by a county attorney.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 4: Briles, Deluhery, Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 74, a bill for an act relating to visitation at state correctional institutions by certain public officials and leaders of a religious community.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 3: Briles, Deluhery and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; approved SSB 2003.

Adjourned: 2:20 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 26, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratiyas, Hulse, Hutchins, Lind, Mann, A. Miller, Readinger and Rodgers.

Members Absent: none.

Final Bill Action: SENATE FILE 2053, a bill for an act specifying the number of affirmative votes of the board of directors of the Iowa product development corporation that are necessary before action may be taken by the board.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Husak, Doyle, Taylor, Anderson, Gratiyas, Hulse, Hutchins, Lind, Mann, A. Miller, Readinger and Rodgers. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees to the En Bloc Confirmation Calendar.

Adjourned: 1:55 p.m.

STATE GOVERNMENT

Convened: January 25, 1984, 3:30 p.m.

Members Present: Slater, Chair; Coleman, Dieleman, Drake, Gettings, C. Miller, Soorholtz and Welsh.

Members Absent: Carr, Vice Chair (excused); Nystrom, Ranking Member; Briles, Bruner, Rife and Schwengels.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:38 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald Schmitt, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-5046	S. F.	2035	Judiciary
S-5047	S. F.	2077	Milo Colton

S—5048	S. F.	2086	William W. "Bill" Dieleman John E. Soorholtz
S—5049	S. F.	2077	Arthur L. Gratiias
S—5050	S. J. R.	2001	Patrick J. Deluhery
S—5051	S. F.	2050	Lee W. Holt
S—5052	S. F.	2089	Berl E. Priebe
S—5053	S. F.	2063	Charles Bruner

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 3:32 p.m., until 10:00 a.m., Monday, January 30, 1984.

JOURNAL OF THE SENATE

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TWENTY-SECOND CALENDAR DAY THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 30, 1984

The Senate met in regular session at 10:11 a.m., President Anderson presiding.

Prayer was offered by the Reverend Eugene Soland, pastor of the Elkhorn Lutheran Church, Elkhorn, Iowa.

The Journal of Thursday, January 26, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the week and Senator Tieden for the morning session on request of Senator Hultman.

INTRODUCTION OF BILL

Senate File 2108, by Vande Hoef, a bill for an act relating to the annexation of land located within a rural water district or association.

Read first time and passed on file.

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

The Senate resumed session, President Anderson presiding.

QUORUM CALL

Senator Junkins 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 Junkins asked and received unanimous consent to take up for consideration Senate Resolution 102; Senate Files 2035, 2053 and 2054; and House File 74.

Senate Resolution 102

On motion of Senator Priebe, Senate Resolution 102, a resolution asking that the entire state of Iowa be declared an agricultural disaster area, was taken up for consideration.

Senator Priebe moved the adoption of Senate Resolution 102, which motion prevailed by a voice vote.

Senate File 2035

On motion of Senator Doyle, Senate File 2035, a bill for an act relating to the requirement that the court personally address a defendant when a plea of guilty to a serious misdemeanor is entered by, or on behalf of, a defendant, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—5046 filed by the committee on Judiciary on January 26, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5046 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2035) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley

Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Schwengels	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.

Senate File 2053

On motion of Senator Doyle, Senate File 2053, a bill for an act specifying the number of affirmative votes of the board of directors of the Iowa product development corporation that are necessary before action may be taken by the board, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2053) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Schwengels	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.

Senate File 2054

On motion of Senator Gentleman, Senate File 2054, a bill for an act relating to the violation of a custodial order, and applying a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman offered amendment S—5055 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—5055 was adopted by a voice vote.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2054), the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Schwengels	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 74

On motion of Senator Dieleman, House File 74, a bill for an act relating to visitation at state correctional institutions by certain public officials and leaders of a religious community, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 74) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Schwengels	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.

INTRODUCTION OF BILLS

Senate File 2109, by Rife, a bill for an act relating to the assessment of benefits of land annexed to a drainage district.

Read first time and passed on file.

Senate File 2110, by Coleman, a bill for an act relating to the publication of administrative rules.

Read first time and passed on file.

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

The Senate resumed session, Senator Colton presiding.

RECESS

On motion of Senator Husak, the Senate recessed at 1:30 p.m. until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 2004, by Taylor, a joint resolution proposing an amendment to the Constitution of the State of Iowa reserving to the people the powers of initiative and referendum.

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

Senate File 2111, by Holden, a bill for an act prescribing circumstances under which an adult adopted person may obtain a copy of the person's original certificate of birth for which an adoption certificate was substituted.

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

Senate File 2112, by Readinger and Holden, a bill for an act relating to the rights of grandparents.

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

Senate File 2113, by Holden, a bill for an act relating to the expansion of deposits held by bank holding companies and providing for a regional banking area for the north central region of the United States and providing reciprocity to out-of-state bank holding companies within that region.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	2003	State Government
S. F.	2099	State Government
S. F.	2100	Ways and Means
S. F.	2101	Judiciary
S. F.	2103	Ways and Means
S. F.	2105	Natural Resources
S. F.	2106	State Government
S. F.	2107	Natural Resources
H.F.	2006	Human Resources
H.F.	2101	Education

REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on rules and administration submits the following employee with the respective step change:

Secretary

Hazel Schroedel

Step 4 to Step 6
Effective January 24, 1984

LOWELL L. JUNKINS, Chair

STUDY BILLS RECEIVED

S.S.B. 2075 Judiciary

Relating to the appointment and qualification of magistrates.

S.S.B. 2076 Human Resources

Relating to the practice of advanced emergency medical technicians and permitting certain licensed registered nurses to practice the profession of a registered nurse while in an ambulance or rescue vehicle.

S.S.B. 2077 Natural Resources

Relating to the fees for the registration of vessels.

S.S.B. 2078 Human Resources

Relating to the findings of a complaint filed against a health care facility.

S.S.B. 2079 Human Resources

Relating to dispensing of generically equivalent drugs.

S.S.B. 2080 Human Resources

Repealing the chapter relating to hospital survey and construction.

S.S.B. 2081 Transportation

To nullify an administrative rule of the department of transportation establishing certain equipment standards on implements of husbandry.

S.S.B. 2082 Transportation

Relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale.

S.S.B. 2083 Transportation

To provide additional retirement benefits under the Iowa public employees' retirement system for department of transportation peace officers and to make an appropriation.

S.S.B. 2084 Judiciary

To remove restrictions on the length of time an inmate may be placed on work release.

S.S.B. 2085 Judiciary

Relating to the inspection of jails and municipal holding facilities by the Iowa department of corrections.

S.S.B. 2086 Judiciary

Relating to the entity responsible for designation of the proper detention facilities needed when transferring inmates.

S.S.B. 2087 Judiciary

To remove the requirement that hearing officers appointed to review the conduct of inmates in institutions under the Iowa department of corrections be independent, as long as they are impartial.

S.S.B. 2088 Judiciary

Relating to the issuance of arrest warrants for work release violators or escapees.

S.S.B. 2089 Judiciary

Relating to escape by misdemeanants from custody and the use of deadly force, and providing a penalty.

S.S.B. 2090 Judiciary

Relating to assaults against or interference with a correctional officer and providing a penalty.

S.S.B. 2091 Judiciary

To require counties to assume the cost of confining probationers pending completion of arrangements for probation and pending disposition of revocation proceedings.

S.S.B. 2092 Judiciary

Amending the definition of "child abuse" for purposes of reporting, investigation, and rehabilitation to include permitting a child to engage in prostitution and sexually exploiting a child in certain other ways.

S.S.B. 2093 Judiciary

Relating to duties and responsibilities of probation officers.

S.S.B. 2094 Judiciary

Relating to the appointment of a hearing officer for disciplinary licensing hearings.

S.S.B. 2095 Judiciary

Modifying the definitions and schedules of controlled substances.

S.S.B. 2096 Human Resources

Establishing a comprehensive long term care and community based services program for the elderly within the commisison on the aging, and making an appropriation.

S.S.B. 2097 State Government

Relating to internal expense reporting and payroll procedures in the office of the auditor of state.

S.S.B. 2098 State Government

Relating to pay scale standards for members of the Iowa national guard.

S.S.B. 2099. State Government

Relating to the certification required on voter registration forms, and reducing a penalty.

S.S.B. 2100 State Government

Allow graduates of foreign schools or colleges of pharmacy who are otherwise qualified to apply for a license to practice pharmacy.

S.S.B. 2101 State Government

Relating to the election laws by providing certain dates for special elections, the elimination of elections for township trustees and clerks, the number of signatures required for filing nomination petitions for nonparty candidates, the elimination of blank party rows on election ballots, the reduction of sample ballots for publication, and certain technical corrections to the voting laws and providing effective dates.

S.S.B. 2102 State Government

Relating to school special elections and providing an effective date.

S.S.B. 2103 State Government

Require disclaimers on political advertisements and subjecting violators to a penalty.

S.S.B. 2104 State Government

Relating to the acquisition of land or real estate by the Iowa national guard or the Iowa air national guard.

S.S.B. 2105 State Government

Relating to compensation received by state national guard members for death incurred, injury received, or illness contracted while in active state service in line of duty.

S.S.B. 2106 State Government

Relating to basic emergency medical care including the creation of a basic emergency medical care council, authorization of ambulance services, and certification of basic emergency medical technicians-ambulance, providing a penalty, and providing an effective date.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH**

Convened: January 26, 1984, 9:45 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Individuals from the Division of Mental Health, Mental Retardation and Developmental Disabilities gave presentations.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 26, 1984, 9:40 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Lind, Ranking Member and Nystrom.

Member Absent: Hutchins.

Other Committee Business: Hearing for the College Aid Commission.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 26, 1984, 9:45 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Presentation of budget requests by the Conservation Commission and the Iowa State Water Resources Research Institute.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 26, 1984, 9:36 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Other Committee Business: Overview by Board of Architectural Examiners and Credit Union Department.

Adjourned: 10:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 26, 1984, 9:35 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: Department presentation of Medicaid budget.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 26, 1984, 9:54 a.m.

Members Present: Dieleman, Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: Deluhery, Vice Chair

Other Committee Business: Jack Walters, Director of General Services, assisted by Jack Pitzer and Glen Anderson, discussed the proposed administrative budget.

Adjourned: 11:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: January 26, 1984, 9:35 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: DCI, Fire Marshal and Capitol Security gave presentations on budget requests.

Adjourned: 11:35 a.m.

APPROPRIATIONS

Convened: January 26, 1984, 9:15 a.m.

Members Present: Small, Chair; Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Lind, Waldstein, Wells and Welsh.

Members Absent: Palmer, Vice Chair; Tieden, Ranking Member; (both excused), Readinger and Schwengels.

Other Committee Business: Assigned House File 2072 to subcommittee and assigned subcommittee to investigate Governor's appointee.

Adjourned: 9:30 a.m.

COMMERCE

Convened: January 26, 1984, 8:00 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery and Holden.

Members Absent: Gallagher, Nystrom, Palmer and Tieden (excused.)

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:03 a.m.

HUMAN RESOURCES

Convened: January 30, 1984, 2:30 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Gratias, Hall, Horn, Ritsema, Slater and Soorholtz.

Members Absent: Mann (excused.)

Final Bill Action: HOUSE FILE 2006, a bill for an act requiring the department of human services to adopt rules relating to the release of a child from a registered family day care home or group day care home.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Slater and Soorholtz. Nays, 1: Ritsema. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:55 p.m.

LOCAL GOVERNMENT

Convened: January 26, 1984, 8:32 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown, Colton, Goodwin, C. Miller, Vande Hoef and Waldstein.

Members Absent: Mann (excused.)

Other Committee Business: Presentation by Dave Long and Roger Nowadzky of the League of Municipalities; assigned SSB to subcommittee.

Adjourned: 8:50 a.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Besendorfer, M.D., resident at Iowa Lutheran Hospital, Des Moines, Iowa.

PETITIONS

The following petitions were presented and placed on file by:

Senator Dieleman from two hundred twenty-four residents of Jasper County favoring legislation to have killer snares declared illegal in the taking of game animals.

Senator Kinley from twenty-one residents of Iowa favoring legislation of a state lottery.

Senator Taylor from three hundred ninety-seven residents of the ninth district favoring legislation raising the legal drinking age to twenty-one.

COMMUNICATION

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

IOWA COMMISSION ON THE AGING

On January 30, 1984, received a copy of the Commission on the Aging and Elderly Services Interagency Coordinating Committee report.

Copies available upon request.

AMENDMENTS FILED

S-5054	S. F.	2089	Berl E. Priebe
S-5055	S. F.	2054	Julia Gentleman
S-5056	S. F.	2005	Tom Mann, Jr. Julia Gentleman
S-5057	S. F.	2089	Bass Van Gilst
S-5058	S. F.	2089	Berl E. Priebe
S-5059	S. F.	2111	Edgar H. Holden
S-5060	H.F.	166	Edgar H. Holden

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Tuesday, January 31, 1984.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 31, 1984

The Senate met in regular session at 9:08 a.m., Senator Mann presiding.

Prayer was offered by Dr. Christopher Daniel, pastor of the United Methodist Church, Douds, Iowa.

The Journal of Monday, January 30, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hutchins for the day on request of Senator Junkins; Senator Hester for the day 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 January 26, 1984, passed the following bill in which the concurrence of the House was asked:

Senate File 2045, a bill for an act to increase the membership of the tax study committee from nine to eleven members.

INTRODUCTION OF BILLS

Senate File 2114, by Welsh, a bill for an act requiring the licensing of lay midwives.

Read first time and passed on file.

Senate File 2115, by Bruner, a bill for an act relating to the authorization for the state of Iowa to become indebted by issuing bonds, the appropriation of the proceeds of the bonds for energy

conservation improvements for state government buildings, the payment of the principal of and interest on the bonds, and the submission of this Act to the people to be voted on at the next general election to be held in November, 1984.

Read first time and passed on file.

Senate File 2116, by Jensen, a bill for an act to provide resale rights to a holder of a farm implements or parts franchise upon termination of the franchise.

Read first time and passed on file.

POINT OF ORDER

Senator Junkins raised the point of order that Senate File 2088 should be referred from the Regular Calendar to the committee on Ways and Means under Senate Rule 38.

The Chair ruled the point well taken and Senate File 2088 was referred to the committee on Ways and Means.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:40 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., Senator Coleman presiding.

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 January 26, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 169, a bill for an act establishing a time limit for completion of audits of units of local government.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2117, by Anderson, a bill for an act relating to solicitation of charitable contributions from state officers and employees.

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

Senate File 2118, by Wells and Gettings, a bill for an act establishing requirements for the use and operation of cabooses on railroad trains.

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

President Anderson took the chair at 4:36 p.m.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate Joint Resolution 2001

On motion of Senator Junkins, Senate Joint Resolution 2001, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein withdrew amendment S—5061 filed by him from the floor to page 1 of the resolution.

Senator Waldstein offered amendment S—5066 filed by him from the floor to page 1 of the resolution and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 33.

Amendment S—5066 lost.

Senator Deluhery offered amendment S—5050 filed by him on January 26, 1984, to page 3 of the resolution and moved its adoption.

Amendment S—5050 was adopted by a voice vote.

Senator Junkins offered amendment S—5045 filed by Senators Junkins and Hultman on January 25, 1984, to page 3 of the resolution and moved its adoption.

Amendment S—5045 was adopted by a voice vote.

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

Senate Joint Resolution 2001, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

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:

1. Section 2 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 2. The governor and the lieutenant governor shall be elected by the qualified electors at the time and place of voting for members of the general assembly. Each of them shall hold office for four years from the time of installation in office and until a successor is elected and qualifies.

2. Section 3 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 3. The electors shall designate their selections for governor and lieutenant governor as if these two offices were one and the same. The names of nominees for the governor and the lieutenant governor shall be grouped together in a set on the ballot according to which nominee for governor is seeking office with which nominee for lieutenant governor, as prescribed by law. An elector shall cast

only one vote for both a nominee for governor and a nominee for lieutenant governor. The returns of every election for governor and lieutenant governor shall be sealed and transmitted to the seat of government of the state, and directed to the speaker of the house of representatives who shall open and publish them in the presence of both houses of the general assembly.

3. Section 4 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1952, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 4. The nominees for governor and the lieutenant governor jointly having the highest number of votes cast for them shall be declared duly elected. If two or more sets of nominees for governor and lieutenant governor have an equal and the highest number of votes for the offices jointly, the general assembly shall by joint vote proceed, as soon as is possible, to elect one set of nominees for governor and lieutenant governor. If, upon the completion by the general assembly of the canvass of votes for governor and lieutenant governor, it appears that the nominee for governor in the set of nominees for governor and lieutenant governor receiving the highest number of votes has since died or resigned, is unable to qualify, fails to qualify, or is for any other reason unable to assume the duties of the office of governor for the ensuing term, the powers and duties shall devolve to the nominee for lieutenant governor of the same set of nominees for governor and lieutenant governor, who shall assume the powers and duties of governor upon inauguration and until the disability is removed. If both nominees for governor and lieutenant governor are unable to assume the duties of the office of governor, the person next in succession shall act as governor.

4. Section 5 of Article IV of the Constitution of the State of Iowa is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 5. Contested elections for the offices of governor and lieutenant governor shall be determined by the general assembly as prescribed by law.

Sec. 2. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 15 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the second Monday in January, 1987 and the following adopted in lieu thereof:

SEC. 15. The official terms of the governor and lieutenant governor shall commence on the Tuesday after the second Monday of January next after their election and shall continue until their successors are elected and qualify. The governor and lieutenant governor shall be paid compensation and expenses as provided by law. The lieutenant governor, while acting as governor, shall be paid the compensation and expenses prescribed for the governor.

2. Section 18 of Article IV of the Constitution of the State of Iowa is repealed beginning with the second Monday in January, 1987 and the following adopted in lieu thereof:

SEC. 18. The lieutenant governor shall have the duties provided by law and those duties of the governor assigned to the lieutenant governor by the governor.

3. Section 19 of Article IV of the Constitution of the State of Iowa as amended by amendment number 2 of the amendments of 1952 is repealed beginning with the second Monday in January, 1987 and the following adopted in lieu thereof:

SEC. 19. If there be a vacancy in the office of the governor and the lieutenant governor shall by reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of governor, the president of the senate shall act as governor until the vacancy is filled or the disability removed; and if the president of the senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of governor the same shall devolve upon the speaker of the house of representatives; and if the speaker of the house of representatives, for any of the above causes, shall be incapable of performing the duties of the office of governor, the justices of the supreme court shall convene the general assembly by proclamation and the general assembly shall organize by the election of a president by the senate and a speaker by the house of representatives. The general assembly shall thereupon immediately proceed to the election of a governor and lieutenant governor in joint convention.

Sec. 3. The foregoing proposed amendments to the Constitution of the State of Iowa are 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 them 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. 2001) the vote was:

Yeas, 33:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Hall	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Van Gilst	Waldstein	Wells
Welsh			

Nays, 14:

Briles	Gettings	Goodwin	Gratias
Holden	Holt	Hulse	Jensen
Nystrom	Priebe	Ritsema	Taylor
Tieden	Vande Hoef		

Absent or not voting, 3:

Hester	Lind	Schwengels
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The resolution having received a constitutional majority was declared to have been adopted by the Senate as amended and the title was agreed to.

Senator Rife took the chair at 5:43 p.m.

APPENDIX

STUDY BILLS RECEIVED

S.S.B. 2107 Local Government

Relating to the reimbursement of law enforcement officer training costs incurred by cities.

S.S.B. 2108 Commerce

Relating to the amount of securities required to be deposited by stock life insurance companies.

S.S.B. 2109 Commerce

Relating to the powers of state-chartered savings and loan associations.

S.S.B. 2110 Commerce

Relating to the procedure required for a savings and loan association chartered in another state or country to transact business in Iowa.

S.S.B. 2111 Small Business & Economic Development

Establishing an Iowa job training and coordination program and making an appropriation.

S.S.B. 2112 Small Business & Economic Development

Relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for increasing employment over previous years.

S.S.B. 2113 Small Business & Economic Development

Relating to the making of an appropriation to carry out the program to aid communities in developing festivals and other tourist attractions.

S.S.B. 2114 Small Business & Economic Development

Relating to the granting of tax credits to business firms which invest in programs providing community services, crime prevention, education and job training to individuals, or neighborhood assistance.

S.S.B. 2115 Small Business & Economic Development

Relating to the granting of a partial property tax exemption for the actual value added by the new construction of or the improvements to single-family residences.

S.S.B. 2116 Small Business & Economic Development

Making an appropriation to the center for industrial research and service at Iowa state university of science and technology for the purpose of funding the small business development centers and the small business division of the Iowa development commission.

S.S.B. 2117 Natural Resources

Providing for the issuance of a supplemental deer license and subjecting violators to a penalty.

S.S.B. 2118 Ways and Means

Exempting the sales tax from the sale of certain tickets or admissions to events conducted by merged area schools.

S.S.B. 2119 Ways and Means

Relating to the extraordinary property tax credit or rent reimbursement by providing for the confidential status of certain information contained in a claim and permitting the director of revenue to devise credit and reimbursement tables with amounts rounded to the nearest even whole dollar.

S.S.B. 2120 Ways and Means

To eliminate the county auditor's annual property valuation and tax report to the department of revenue.

S.S.B. 2121 Ways and Means

To repeal the sales and use tax on newsprint and ink.

S.S.B. 2122 Ways and Means

Relating to the definition of retail sale for purposes of the state sales, services and use tax.

S.S.B. 2123 Ways and Means

Relating to liability for the payment of the sales, services, and use tax and the filing of sales, services, and use tax returns.

S.S.B. 2124 Ways and Means

Relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, and making technical corrections.

S.S.B. 2125 Ways and Means

Relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes.

S.S.B. 2126 Ways and Means

Relating to the apportionment of net income for purposes of the corporate income tax, with a retroactive effective date.

S.S.B. 2127 Education

To require the state board of regents to inform the student government organizations at its institutions of higher learning about proposed tuition and fee increases.

COMMUNICATION

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

IOWA DEVELOPMENT COMMISSION

On January 31, 1984, received a copy of the First Annual Report of the Small Business Division of the Iowa Development Commission, pursuant to Chapter 207, Section 17, 1983 Acts of the Seventieth General Assembly.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	2004	State Government
S. F.	2108	Local Government
S. F.	2109	Local Government
S. F.	2110	State Government
S. F.	2111	Judiciary
S. F.	2112	Human Resources
S. F.	2113	Commerce

REPORTS OF STANDING COMMITTEES

(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of the following appointees as members of the Small Business Advisory Council under the provisions of Chapter 207, Section 15, Acts of the Seventieth General Assembly, 1983 Regular Session, begs leave to report it has made investigation and recommends the appointments be confirmed:

Joan B. Poe, Cedar Falls, Black Hawk County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

Gloria M. Thomas, Des Moines, Polk County, Iowa, for a two-year term beginning July 1, 1983, and ending April 30, 1985.

**SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair**

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Beatrice A. Huston, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Jobs Commission under the provisions of Chapter 207, Section 2, Acts of the Seventieth General Assembly, 1983 Regular Session, for a two-year term beginning July 15, 1983, and ending June 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair**

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Theodore K. Watson, Stockport, Van Buren County, Iowa, for appointment as a member of the Iowa Product Development Corporation under the provisions of Chapter 207, Section 21, Acts of the Seventieth General Assembly, 1983 Regular Session, for a four-year term beginning July 1, 1983, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 31, 1984, 5:45 p.m.

Members Present: Small, Chair; Palmer, Vice Chair; Tieden, Ranking Member; Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Waldstein, Wells and Welsh.

Members Absent: Schwengels and Lind (both excused).

Final Bill Action: HOUSE FILE 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Small, Palmer, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Waldstein, Wells and Welsh. Nays, none. Absent or not voting, 2: Lind and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 6:00 p.m.

JUDICIARY

Convened: January 30, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Mann, Vice Chair (excused.)

Other Committee Business: Assigned bills to subcommittees; SSBs 2010 and 2054 and unnumbered Study Bill "A" approved and ordered redrafted as committee bills.

Adjourned: 4:10 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: January 30, 1984, 1:30 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair; Hulse, Ranking Member; Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells.

Members Absent: none.

Other Committee Business: Assigned SSB 2074, LSB 3105S and 3138H to subcommittees; presentation by Job Service regarding the unemployment trust fund.

Adjourned: 2:00 p.m.

LOCAL GOVERNMENT

Convened: January 31, 1984, 8:03 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member (arrived 8:05 a.m.); Colton, Goodwin, C. Miller, Vande Hoef and Waldstein.

Members Absent: Brown and Mann.

Final Bill Action: SENATE FILE 2093, a bill for an act relating to publication of notice for zoning actions taken under chapter 414.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Wells, Briles, Colton, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Brown and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:09 a.m.

STATE GOVERNMENT

Convened: January 31, 1984, 2:38 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Schwengels (excused.)

Final Bill Action: SENATE FILE 2081, a bill for an act to transfer the responsibility for security of the state capitol complex from the department of public safety to the legislative council.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Slater, Carr, Briles, Coleman, Dieleman, Gettings, C. Miller and Welsh. Nays, 3: Nystrom, Rife and Soorholtz. Absent or not voting, 3: Bruner, Drake and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:00 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stephen C. Smith, M.D., Indianola, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed Steve Glawe, Illinois; Chuck Olson, Minneosta; Karen Philpot, Iowa and Yasin Rahim, Africa, who were present in the Senate chamber as the guests of Senator Hall.

AMENDMENTS FILED

S-5061	S. J. R.	2001	Arne Waldstein
S-5062	S. F.	2089	Tom Slater
			Richard F. Drake
			Charles Bruner
			Lee W. Holt
S-5063	S. F.	2089	Douglas Ritsema
S-5064	S. F.	2089	Douglas Ritsema
S-5065	S. F.	2089	Douglas Ritsema
S-5066	S. J. R.	2001	Arne Waldstein
S-5067	S. F.	2089	Douglas Ritsema

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Wednesday, February 1, 1984.

JOURNAL OF THE SENATE

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TWENTY-FOURTH CALENDAR DAY FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 1, 1984

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

Prayer was offered by the Reverend Gerald A. Stevens, pastor of the Community Church of Hudson, Hudson, Iowa.

The Journal of Tuesday, January 31, 1984, was approved.

INTRODUCTION OF BILLS

Senate File 2119, by Committee on Judiciary, a bill for an act making the three-day notice to quit given by mobile/manufactured home landlords concurrent with the three-day notice for failure to pay rent.

Read first time and placed on calendar.

Senate File 2120, by Horn, a bill for an act relating to passing a vehicle on the right.

Read first time and passed on file.

Senate File 2121, by Gentleman, a bill for an act relating to the establishment of a state historical building code.

Read first time and passed on file.

CONFIRMATION OF APPOINTMENT (Individual Confirmation Calendar)

Senator Carr called up the Report of Investigating Committee for Harold Farrier as Director of the Department of Corrections, filed January 24, 1984, found on page 214 of the Senate Journal and moved its adoption.

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

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Readinger	Ritsema	Rodgers	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Welsh		

Nays, none.

Absent or not voting, 8:

Kinley	Lind	Palmer	Rife
Schwengels	Slater	Tieden	Wells

The Chair declared the appointment confirmed.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:42 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., Senator Gettings presiding.

INTRODUCTION OF BILLS

Senate File 2122, by Deluhery, a bill for an act relating to county libraries.

Read first time and passed on file.

Senate File 2123, by Gentleman, a bill for an act to appropriate funds for participation in a world trade center.

Read first time and passed on file.

Senate File 2124, by Committee on Judiciary, a bill for an act relating to the parental responsibility for actions of children.

Read first time and placed on calendar.

Senate File 2125, by Committee on Judiciary, a bill for an act relating to the accrual of prejudgment interest after a refusal to accept an offer to confess judgment.

Read first time and placed on calendar.

Senate File 2126, by Miller of Des Moines, a bill for an act relating to the location of lights or light-reflecting devices on public or private property.

Read first time and passed on file.

Senate File 2127, by Committee on Transportation, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls.

Read first time and placed on calendar.

Senate File 2128, by Hutchins, a bill for an act to allow school districts to raise a transportation assistance amount for the school year beginning July 1, 1985.

Read first time and passed on file.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

BILL REFERRED TO COMMITTEE

The Chair announced that **House File 2072** was referred from the Appropriations Calendar to the committee on Finance under Senate Rule 38.

WITHDRAWN

Senator Taylor asked and received unanimous consent that Senate File 241 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2089.

Senate File 2089

On motion of Senator Priebe, Senate File 2089, a bill for an act relating to the safety of persons being transported or traversing the highways and providing penalties, was taken up for consideration.

President Anderson took the chair at 4:55 p.m.

Senator Priebe asked unanimous consent that further action on Senate File 2089 be deferred for preparation of an amendment.

Objection was raised by Senator Slater.

Senator Slater withdrew his objection and action on Senate File 2089 was temporarily deferred.

CONFIRMATION OF APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Junkins called up the following eligible appointees listed on the En Bloc Confirmation Calendar:

Iowa Product Development Corporation

M.J. Arts, committee recommendation found on page 184 of the Senate Journal.

Donald D. Gingerich, committee recommendation found on page 246 of the Senate Journal.

Jobs Commission, committee recommendations found on pages 245-246 of the Senate Journal:

Lyle A. Hellyer
Ronald H. Schechtman

Iowa High Technology Council

Donald P. Rowen, committee recommendation found on page 246 of the Senate Journal.

Small Business Advisory Council

Doris Hansen, committee recommendation found on page 185 of the Senate Journal.

Connie Wimer, committee recommendation found on pages 246-247 of the Senate Journal.

Senator Junkins 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	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Briles Lind Schwengels

The Chair declared the appointments confirmed.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 2005

On motion of Senator Mann, Senate File 2005, a bill for an act relating to the taxing of costs in an action to enforce the terms of a dissolution, annulment, or separate maintenance decree, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5056 filed by Senators Mann and Gentleman on January 30, 1984, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5056 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2005) the vote was:

Ayes, 47:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Briles	Lind	Schwengels
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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.

APPENDIX

COMMUNICATIONS

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

STATE DEPARTMENT OF HEALTH

On February 1, 1984, received a copy of the 1984 State Radiation Safety Program Plan prepared by the Interagency Coordinating Council on Radiation Safety (ICCRS) pursuant to Section 136B.4 of the Code of Iowa.

IOWA COMMISSION ON THE STATUS OF WOMEN

On February 1, 1984, received a copy of the 1984 Annual Report of the Iowa Commission on the Status of Women, pursuant to Section 601.8 Code of Iowa.

IOWA CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY

On February 1, 1984, received a copy of the first segment of the five year Criminal and Juvenile Justice Plan pursuant to Chapter 80C of the Code of Iowa.

FURTHER REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on page 164 of the Senate Journal.

Final Bill Action: SENATE FILE 2119 (SSB 2009), a bill for act making the three-day notice to quit given by mobile/manufactured home landlords concurrent with the three-day notice for failure to pay rent.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Briles, Coleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 4: Deluhery, Dieleman, Drake and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

FURTHER REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on page 279 of the Senate Journal.

Final Bill Action: SENATE FILE 2125 (SSB 2054), a bill for an act relating to the accrual of prejudgment interest after a refusal to accept an offer to confess judgment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Briles, Coleman, Deluhery, Drake, Gentleman, Goodwin, Horn, Small, Welsh and Dieleman. Nays, none. Absent or not voting, 2: Holt and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2124 (SSB 2010), a bill for an act relating to the parental responsibility for actions of children.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Ritsema, Briles, Coleman, Dieleman, Deluhery, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES (Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Ways and Means assigned to investigate the character and qualifications of Thomas A. Loudon, Fairfield, Jefferson County, Iowa; Gregory M. Brown, Marshalltown, Marshall County, Iowa; Mary E. Chalupsky, Fairfax, Linn County, Iowa; and Roger J. Shaff, Camanche, Clinton County, Iowa, for appointment as members of the Tax Study Committee under the provisions of Chapter 211, Section 2, Acts of the Seventieth General Assembly, 1983 Regular Session for a one-year term beginning July 1, 1983, and ending December 31, 1984, begs leave to report it has made investigation and recommends the appointments be confirmed.

COMMITTEE ON WAYS AND MEANS
WILLIAM D. PALMER, Chair

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2114	State Government
S. F.	2115	Appropriations
S. F.	2116	Commerce

S. F.	2117	State Government
S. F.	2118	Transportation
H. F.	169	Local Government

STUDY BILLS RECEIVED

S.S.B. 2128 Judiciary

Relating to the rules and procedures involved in the appeal of a misdemeanor.

S.S.B. 2129 Human Resources

Prohibiting a hospital from denying privileges to certain licensed practitioners under certain conditions.

S.S.B. 2130 Human Resources

Eliminating the requirement that a facility licensed by the department of substance abuse providing child foster care be licensed by the department of human services.

S.S.B. 2131 Human Resources

To permit an adult to direct the withholding of life-sustaining procedures when the adult is in a terminal condition and providing a penalty.

S.S.B. 2132 Education

To repeal the requirement that a meeting be called upon request by the area education agency board or a contiguous school district concerning a proposal by a school district board to issue general obligation bonds for construction or renovation of a school building.

S.S.B. 2133 State Government

Relating to access to government records and providing a penalty.

S.S.B. 2134 Judiciary

Relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: January 31, 1984, 9:50 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Budget presentation for Glenwood and Woodward; report by AFSCME.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 31, 1984, 9:50 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair and Nystrom.

Members Absent: Lind, Ranking Member and Hutchins (both excused.)

Other Committee Business: Hearing on budget for Iowa Public Television; presentation from student body representatives of various community colleges.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 31, 1984, 9:47 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member and Priebe.

Members Absent: Hester (excused.)

Other Committee Business: Considered budget requests from Iowa Energy Policy Council and Iowa Geological Survey.

Adjourned: 11:07 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: January 31, 1984, 9:15 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member and Rodgers.

Members Absent: Jensen (excused.)

Other Committee Business: Overview by Board of Engineering Examiners.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: January 31, 1984, 9:50 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: DSS review of foster care, home-based services and community based services for FY '85 budget.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 31, 1984, 9:50 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; C. Miller and Ritsema.

Members Absent: Schwengels, Ranking Member (excused.)

Other Committee Business: Jim Riordan, administrative assistant to Lt. Governor Anderson, briefly explained the changes in the proposed budget; Jack Walters, director of General Services, assisted by Earl Willits, completed their budget hearings.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: January 31, 1984, 9:45 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: Major Usher, Director of Capitol Security, gave an overview on his department; General Services gave presentation on fuel and car purchasing issues.

Adjourned: 11:20 a.m.

FINANCE

Convened: February 1, 1984, 5:29 p.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Holden, Junkins, Palmer, Small and Tieden.

Members Absent: Hultman, Ranking Member.

Final Bill Action: HOUSE FILE 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Rodgers, Hutchins, Junkins, Palmer, Tieden and Small. Nays, 1: Holden. Absent or not voting, 1: Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 5:32 p.m.

HUMAN RESOURCES

Convened: February 1, 1984, 2:30 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Coleman, Grattias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: Briles.

Final Bill Action: SENATE FILE 324, a bill for an act relating to skilled nursing care coverage provided by insurers and hospital and medical service corporations to hospitalized insureds and subscribers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Coleman, Gratias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2091, a bill for an act relating to the acquisition of legal settlement by persons hospitalized in or receiving treatment at a state mental health institute.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, C. Miller, Gentleman, Coleman, Gratias, Hall, Horn, Mann, Slater and Soorholtz. Nays, 1: Ritsema. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:00 p.m.

NATURAL RESOURCES

Convened: February 1, 1984, 8:02 a.m.

Members Present: Van Gilst, Chair; Doyle, Gettings, Goodwin, Hall, Hester and Rife.

Members Absent: Rodgers, Vice Chair; Schwengels, Ranking Member (excused) and Priebe.

Final Bill Action: HOUSE FILE 523, a bill for an act to provide for reciprocity among the states on the license fee for fur buyers.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Van Gilst, Doyle, Gettings, Goodwin, Hall, Hester and Rife. Nays, none. Absent or not voting, 3: Rodgers, Schwengels and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 9:06 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: January 31, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Gratias, Hulse, Mann, A. Miller and Rodgers.

Members Absent: Lind, Anderson and Hutchins (all excused) and Readinger.

Other Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees.

Adjourned: 2:00 p.m.

TRANSPORTATION

Convened: January 31, 1984, 3:32 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Nystrom, Priebe and Welsh.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2127, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Nystrom and Priebe. Nays, 1: Welsh. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 508, a bill for an act to eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5068.

Final Vote: Ayes, 9: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Nystrom, Priebe and Welsh. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:50 p.m.

WAYS AND MEANS

Convened: January 31, 1984, 3:33 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Carr, Deluhery (arrived 3:37 p.m.), Dieleman, Grattias, Holt, Readinger, Rodgers, Small, Soorholtz and Van Gilst.

Members Absent: Hester (excused) and Brown.

Other Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees.

Adjourned: 3:50 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Polle, M.D., resident at Iowa Lutheran Hospital, Des Moines, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed Muti Sutojo, Indonesia and Gustavo Vaquera, Argentina, AFS students; and Mr. & Mrs. Duane Feltz, Harlan, Iowa, who were present in the Senate chamber as the guests of Senator Hutchins.

AMENDMENTS FILED

S-5068	H.F.	508	Transportation
S-5069	S.F.	2089	Bass Van Gilst
S-5070	S.F.	2089	Douglas Ritsema
S-5071	S.F.	2089	Douglas Ritsema
S-5072	S.F.	2089	Douglas Ritsema
S-5073	S.F.	2089	Douglas Ritsema
S-5074	H.F.	2072	Arthur A. Small, Jr.
S-5075	S.F.	2089	Donald V. Doyle
S-5076	H.F.	523	Donald V. Doyle
			Bass Van Gilst
S-5077	H.F.	2072	Richard F. Drake
			Joe J. Welsh

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:28 p.m., until 9:00 a.m., Thursday, February 2, 1984.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 2, 1984

The Senate met in regular session at 9:12 a.m., President Anderson presiding.

Prayer was offered by the Reverend Wallace Gaines, pastor of the Antioch Baptist Church, Waterloo, Iowa.

The Journal of Wednesday, February 1, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

We wish to withdraw the name of Robert N. Houser from consideration by the Senate as is it not necessary for the Chair of the Tax Study Committee to be confirmed, pursuant to Chapter 211.2, Acts of the Seventieth General Assembly, 1983 Regular Session.

Very truly yours,
TERRY E. BRANSTAD
Governor

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 January 30, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2110, a bill for an act relating to the regulation of radiation machines and radioactive materials and providing a civil penalty for violations.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2129, by Committee on Judiciary, a bill for an act to make nonsubstantive corrections to the Code.

Read first time and placed on calendar.

Senate File 2130, by Committee on Education, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

Read first time and placed on calendar.

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate File 2077** be withdrawn from further consideration of the Senate.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:23 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:36 p.m., President Anderson presiding.

QUORUM CALL

Senator Junkins 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)

House File 2072

On motion of Senator Small, House File 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund, with reports of committees on Appropriations and Finance recommending passage, was taken up for consideration.

Senator Small asked and received unanimous consent that further action on House File 2072 be deferred.

UNFINISHED BUSINESS (Deferred February 1, 1984)

Senate File 2089

The Senate resumed consideration of Senate File 2089, a bill for an act relating to the safety of persons being transported or traversing the highways and providing penalties, deferred February 1, 1984.

Senator Slater offered amendment S—5062 filed by Senators Slater, et al., on January 31, 1984, to strike everything after the enacting clause and to the title page of the bill.

Senator Van Gilst offered amendment S—5069 filed by him on February 1, 1984, to amendment S—5062.

Senator Slater raised the point of order that amendment S—5069 was not germane to amendment S—5062.

The Chair ruled the point well taken and amendment S—5069 to amendment S—5062 out of order.

Senator Doyle offered amendment S—5075 filed by him on February 1, 1984, to amendment S—5062.

Senator Slater raised the point of order that amendment S—5075 was not germane to amendment S—5062.

The Chair ruled the point well taken and amendment S—5075 to amendment S—5062 out of order.

Senator Priebe offered amendment S—508Q filed by him from the floor to amendment S—5062.

Senator Priebe asked and received unanimous consent that further action on amendment S—5080 to amendment S—5062 be deferred for consideration of amendment S—5084 to amendment S—5062.

Senator Bruner offered amendment S—5084 filed by Senators Bruner, et al., from the floor to amendment S—5062 and moved its adoption.

Amendment S—5084 was adopted by a voice vote.

With the adoption of amendment S—5084 to amendment S—5062, the Chair ruled amendments S—5080 by Senator Priebe, previously deferred, and S—5070 filed by Senator Ritsema on February 1, 1984, to amendment S—5062, out of order.

Senator Slater offered amendment S—5083 filed by him from the floor to amendment S—5062 and moved its adoption.

Amendment S—5083 was adopted by a voice vote.

Senator Welsh offered amendment S—5085 filed by him from the floor to amendment S—5062 and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 30.

Amendment S—5085 lost.

Senator Ritsema offered amendment S—5072 filed by him on February 1, 1984, to amendment S—5062 and called for a division: lines 3 through 18 as division S—5072A and lines 19 through 26 as division S—5072B.

Senator Ritsema withdrew division S—5072B to amendment S—5062.

Senator Ritsema moved the adoption of division S—5072A.

A non record roll call was requested.

The ayes were 11, nays 35.

Division S—5072A lost.

With the adoption of amendment S—5084 to amendment S—5062, the Chair ruled amendment S—5073 filed by Senator Ritsema on February 1, 1984, to amendment S—5062 out of order.

Senator Ritsema offered amendment S—5071 filed by him on February 1, 1984, to amendment S—5062.

Senator Slater raised the point of order that amendment S—5071 was not germane to amendment S—5062.

The Chair ruled the point well taken and amendment S—5071 to amendment S—5062 out of order.

Senator Coleman raised the point of order that amendment S—5062 as amended was not germane.

The Chair ruled the point not well taken and amendment S—5062 as amended in order.

Senator Colton took the chair at 4:30 p.m.

Senator Slater moved the adoption of amendment S—5062 as amended.

A non record roll call was requested.

The ayes were 36, nays 12.

Amendment S—5062 as amended was adopted.

With the adoption of amendment S—5062 as amended, the Chair ruled the following amendments out of order:

S—5052 filed by Senator Priebe on January 26, 1984, to page 1 of the bill.

S—5054 filed by Senator Priebe on January 30, 1984, to page 1 of the bill.

S—5057 filed by Senator Van Gilst on January 30, 1984, to page 1 of the bill.

S—5058 filed by Senator Priebe on January 30, 1984, to page 1 of the bill.

S—5063 filed by Senator Ritsema on January 31, 1984, to pages 3 and 4 of the bill.

S—5064 filed by Senator Ritsema on January 31, 1984, to page 2 of the bill.

S—5065 filed by Senator Ritsema on January 31, 1984, to pages 2 and 3 of the bill.

S—5067 filed by Senator Ritsema on January 31, 1984, to page 1 of the bill.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2089) the vote was:

Ayes, 38:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Hall	Hester	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Tieden	Van Gilst	Waldstein
Wells	Welsh		

Nays, 10:

Briles	Coleman	Gallagher	Gratias
Holden	Mann	Miller, C.P.	Ritsema
Taylor	Vande Hoef		

Absent or not voting, 2:

Lind	Schwengels
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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.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **House File 2006** be referred from the Regular Calendar to the committee on **Human Resources**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2102

On motion of Senator Husak, Senate File 2102, a bill for an act relating to the executive director, staff, and administrative expenses of the Iowa family farm development authority, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2102) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readering	Rife	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 2:

Holden	Ritsema
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Absent or not voting, 4:

Briles	Lind	Schwengels	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.

Senate File 2104

On motion of Senator Doyle, Senate File 2104, a bill for an act relating to the collections of fines and penalties by a county attorney, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2104) the vote was:

Ayes, 45:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, 1:

Welsh

Absent or not voting, 4:

Briles	Lind	Schwengels	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.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE JOINT
RESOLUTION 2003

State Government
Gettings, Chair
C. Miller
Nystrom

SENATE FILE 2015
(Reassigned)

Local Government
C. Miller, Chair
Briles
Goodwin

SENATE FILE 2069

Ways & Means
Gratias, Chair
Hester
Dieleman

SENATE FILE 2073

Ways & Means
Brown, Chair
Rodgers
Soorholtz

SENATE FILE 2080

Ways & Means
Carr, Chair
Deluhery
Readinger

SENATE FILE 2088

Ways & Means
Readinger, Chair
Hester
Dieleman

SENATE FILE 2091

Human Resources
C. Miller, Chair
Mann
Soorholtz

SENATE JOINT
RESOLUTION 2004

State Government
C. Miller, Chair
Coleman
Rife

SENATE FILE 2051
(Corrected)

Ways & Means
Van Gilst, Chair
Palmer
Deluhery
Hester
Readinger

SENATE FILE 2071

Ways & Means
Deluhery, Chair
Carr
Holden

SENATE FILE 2074

Human Resources
Ritsema, Chair
Horn
C. Miller

SENATE FILE 2087

Commerce
Palmer, Chair
Gallagher
Holden

SENATE FILE 2090

Transportation
Nystrom, Chair
Jensen
Hall

SENATE FILE 2092

Transportation
Doyle, Chair
Priebe
Nystrom

SENATE FILE 2093

Local Government
Wells, Chair
Mann
Waldstein

SENATE FILE 2095

Judiciary
Horn, Chair
Welsh
Holt

SENATE FILE 2097

State Government
Drake, Chair
Slater
Welsh

SENATE FILE 2099

State Government
Dieleman, Chair
Gettings
Briles

SENATE FILE 2101

Judiciary
Goodwin, Chair
Coleman
Dieleman

SENATE FILE 2103

Ways & Means
Deluhery, Chair
Carr
Readinger

SENATE FILE 2106

State Government
Coleman, Chair
Rife
Dieleman

SENATE FILE 2109

Local Government
C. Miller, Chair
Goodwin
Briles

SENATE FILE 2094

Local Government
Colton, Chair
Wells
Vande Hoef

SENATE FILE 2096

Natural Resources
Hester, Chair
Goodwin
Priebe

SENATE FILE 2098

Judiciary
Gentleman, Chair
Deluhery
Welsh

SENATE FILE 2100

Ways & Means
Rodgers, Chair
Holden
Brown

SENATE FILE 2102

Agriculture
Husak, Chair
Gallagher
Hester

SENATE FILE 2105

Natural Resources
Doyle, Chair
Rodgers
Rife

SENATE FILE 2107

Natural Resources
Rodgers, Chair
Doyle
Rife

SENATE FILE 2110

State Government
Dieleman, Chair
Coleman
Soorholtz

SENATE FILE 2111

Judiciary
Gentleman, Chair
Ritsema
Deluhery

SENATE FILE 2113

Commerce
Holden, Chair
Palmer
Kinley
Jensen
Deluhery

HOUSE FILE 602

Natural Resources
Rife, Chair
Doyle
Goodwin

HOUSE FILE 2101

Education
Gratias, Chair
Gallagher
Taylor

SSB 2056

Education
Anderson, Chair
Gallagher
Ritsema

SSB 2065

Education
Brown, Chair
Colton
Ritsema

SSB 2073

Agriculture
Van Gilst, Chair
A. Miller
Hester

SSB 2076

Judiciary
Ritsema, Chair
Mann
Doyle

SENATE FILE 2112

Human Resources
Slater, Chair
Gratias
Horn

**SENATE CONCURRENT
RESOLUTION 104**

Transportation
Coleman, Chair
Drake
A. Miller

HOUSE FILE 2006

Human Resources
Carr, Chair
Gratias
C. Miller

SSB 180

Education
Horn, Chair
Gallagher
Taylor

SSB 2064

Education
Colton, Chair
Taylor
Wells

SSB 2072

Agriculture
Husak, Chair
Hester
Waldstein

SSB 2074

Labor & Industrial Relations
Anderson, Chair
Gettings
Vande Hoef

SSB 2077

Natural Resources
Gettings, Chair
Hall
Goodwin

SSB 2078

Human Resources
Carr, Chair
C. Miller
Briles

SSB 2080

Human Resources
Carr, Chair
C. Miller
Briles

SSB 2082

Transportation
Doyle, Chair
Drake
Nystrom

SSB 2084

Judiciary
Gentleman, Chair
Mann
Horn

SSB 2086

Judiciary
Gentleman, Chair
Mann
Deluhery

SSB 2088

Judiciary
Gentleman, Chair
Mann
Small

SSB 2090

Judiciary
Mann, Chair
Gentleman
Welsh

SSB 2092

Judiciary
Mann, Chair
Gentleman
Small

SSB 2094

Judiciary
Goodwin, Chair
Briles
Deluhery

SSB 2079

Human Resources
C. Miller, Chair
Soorholtz
Coleman

SSB 2081

Transportation
Priebe, Chair
Jensen
A. Miller

SSB 2083

Transportation
Coleman, Chair
Priebe
Lind

SSB 2085

Judiciary
Mann, Chair
Deluhery
Goodwin

SSB 2087

Judiciary
Mann, Chair
Gentleman
Small

SSB 2089

Judiciary
Deluhery, Chair
Gentleman
Horn

SSB 2091

Judiciary
Mann, Chair
Holt
Deluhery

SSB 2093

Judiciary
Gentleman, Chair
Mann
Welsh

SSB 2095

Judiciary
Horn, Chair
Drake
Welsh

SSB 2097

State Government
Dieleman, Chair
Nystrom
Coleman

SSB 2099

State Government
Slater, Chair
Drake
Welsh

SSB 2101

State Government
Slater, Chair
Drake
Welsh

SSB 2103

State Government
Slater, Chair
Welsh
Drake

SSB 2105

State Government
Nystrom, Chair
Coleman
Gettings

SSB 2107

Local Government
Brown, Chair
Vande Hoef
Wells

SSB 2109

Commerce
Holden, Chair
Priebe
Palmer

SSB 2111

Small Business &
Economic Development
Hutchins, Chair
Doyle
Taylor

SSB 2098

State Government
Nystrom, Chair
Coleman
Gettings

SSB 2100

State Government
Nystrom, Chair
Soorholtz
Djeleman

SSB 2102

State Government
Slater, Chair
Welsh
Drake

SSB 2104

State Government
Nystrom, Chair
Coleman
Gettings

SSB 2106

State Government
Carr, Chair
Dieleman
Briles

SSB 2108

Commerce
Palmer, Chair
Bruner
Jensen

SSB 2110

Commerce
Holden, Chair
Deluhery
Bruner

SSB 2112

Small Business &
Economic Development
Anderson, Chair
Hutchins
Gratias

SSB 2113

Small Business &
Economic Development
Rodgers, Chair
Mann
Lind

SSB 2115

Small Business &
Economic Development
Hutchins, Chair
Gratias
Anderson

SSB 2117

Natural Resources
Rodgers, Chair
Gettings
Goodwin

SSB 2119

Ways & Means
Gratias, Chair
Small
DeLuhery

SSB 2121

Ways & Means
Small, Chair
Rodgers
Hester

SSB 2123

Ways & Means
Holden, Chair
Rodgers
DeLuhery

SSB 2125

Ways & Means
Small, Chair
Dieleman
Hester

SSB 2127

Education
Horn, Chair
Gratias
Anderson

SSB 2114

Small Business &
Economic Development
Hutchins, Chair
Hulse
Doyle

SSB 2116

Small Business &
Economic Development
Rodgers, Chair
Taylor
Doyle

SSB 2118

Ways & Means
Small, Chair
Dieleman
Holt

SSB 2120

Ways & Means
Rodgers, Chair
Carr
Holt

SSB 2122

Ways & Means
Holden, Chair
Carr
Brown

SSB 2124

Ways & Means
Van Gilst, Chair
Small
Soorholtz

SSB 2126

Ways & Means
Holden, Chair
Husak
Palmer

SSB 2128

Judiciary
Mann, Chair
Ritsema
Small

SSB 2129

Human Resources
C. Miller, Chair
Briles
Coleman

SSB 2131

Human Resources
C. Miller, Chair
Gentleman
Coleman

SSB 2133

State Government
Slater, Chair
Bruner
Carr
Nystrom
Drake

LSB 31058

Labor & Industrial Relations
Anderson, Chair
Hutchins
Hultman
Colton
Hulse

SSB 2130

Human Resources
Ritsema, Chair
C. Miller
Horn

SSB 2132

Education
Gratias, Chair
Gallagher
Wells

SSB 2134

Judiciary
Mann, Chair
Ritsema
Horn
Drake
Small

LSB 3138H

Labor & Industrial Relations
Wells, Chair
Hutchins
Jensen

**FURTHER
REPORT OF COMMITTEE MEETING**

JUDICIARY*

*A previous report of this meeting was recorded on page 279 of the Senate Journal.

Final Bill Action: SENATE FILE 2129 (SSB "A"), a bill for an act to make nonsubstantive corrections to the Code.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ristema, Briles, Coleman, Dieleman, Deluhery, Drake, Gentleman, Goodwin, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Holt and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2120	Transportation
S. F.	2121	State Government
S. F.	2122	Local Government
S. F.	2123	Appropriations
S. F.	2126	Transportation
S. F.	2128	Education
H.F.	2110	Human Resources

PROOF OF PUBLICATION

Published copy of Senate File 2057 and verified proof of publication of said bill in The Daily Democrat, a newspaper published in Lee County, on January 26, 1984, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

STUDY BILLS RECEIVED

S.S.B. 2135 Education

Relating to claims for reimbursement to school districts for the costs of paying parents for transporting their children to nonpublic schools.

S.S.B. 2136 Education

Relating to teaching comprehensive health education in grades one through twelve.

REPORT OF STANDING COMMITTEE

(Place Nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Jack C. Bailey, Des Moines, Polk County, Iowa, for appointment as Director of the Iowa Development Commission under the provisions of Chapter 28.3, 1983 Code of Iowa, for a term beginning June 17, 1983, and serving at the pleasure of the Governor, begs leave to report it has made investigation and makes no recommendation.

SMALL BUSINESS &
ECONOMIC DEVELOPMENT
EMIL J. HUSAK, Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 1, 1984, 9:55 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Reports from Executive Director of the Community Mental Health Center Association of Iowa, Inc.; Executive Director, Association for Retarded Citizens; Superintendent of Iowa Veterans Home; and Executive Secretary of American Corrections Association.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 1, 1984, 9:55 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Hutchins and Nystrom.

Members Absent: Lind, Ranking Member (excused.)

Other Committee Business: Budget hearing for the Board of Regents.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 1, 1984, 9:50 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Presentation by Robert Lounsberry, Secretary of Agriculture.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 1, 1984, 9:47 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member and Rodgers.

Members Absent: Jensen (excused.)

Other Committee Business: Overview by the State Racing Commission and Campaign Financial Disclosure Commission.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 1, 1984, 9:55 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: DSS presentation of local purchased services, juvenile institutions and field services operations budget.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 1, 1984, 9:50 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; C. Miller and Ritsema.

Members Absent: Schwengels (excused.)

Other Committee Business: Dr. Ed. Stanek, director of Office of Planning and Programming, explained adjustments in the 1984-1985 biennial budget.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: February 1, 1984, 9:50 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: Overview of the Department of Transportation.

Adjourned: 10:55 a.m.

AGRICULTURE

Convened: February 1, 1984, 2:30 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Gallagher (arrived 2:32 p.m.); Husak, Hutchins, A. Miller, Vande Hoef and Waldstein.

Members Absent: Taylor.

Final Bill Action: SENATE FILE 510, a bill for an act relating to a lien against crops and livestock for protection of persons furnishing feed, petroleum and agriculture chemicals used in production of crops and livestock.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5081.

Final Vote: Ayes, 8: Priebe, Van Gilst, Gallagher, Husak, Hutchins, A. Miller, Vande Hoef and Waldstein. Nays, 1: Hester. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:52 p.m.

EDUCATION

Convened: February 1, 1984, 3:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2130, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL,

Final Vote: Ayes, 8: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema and Wells. Nays, 1: Taylor. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2101, a bill for an act authorizing an area education agency to issue warrants and anticipatory warrants and providing for the payment of interest.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Amended Senate File 2077 and ordered redrafted as a committee bill.

Adjourned: 4:00 p.m.

ENERGY

Convened: February 1, 1984, 1:25 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Brown, Bruner, Hulse, C. Miller, Tieden and Van Gilst.

Members Absent: Hultman.

Other Committee Business: Dick Vohs and Dennis Guffey from the Energy Policy Council discussed what the cuts made by Congress will mean to the Home Energy Assistance Program, and also the "Capital Free Energy Conservation Financing for Public Buildings" that was recently approved by the Attorney General's Office.

Adjourned: 1:50 p.m.

JUDICIARY

Convened: February 1, 1984, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh.

Members Absent: Briles and Small.

Other Committee Business: Assigned bills to subcommittees; approved SSBs 2042, 2049 and 2053 as committee bills.

Adjourned: 2:10 p.m.

LOCAL GOVERNMENT

Convened: February 2, 1984, 8:00 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Brown, Colton, Goodwin, Mann, C. Miller and Vande Hoef.

Members Absent: Briles, Ranking Member and Waldstein (excused.)

Final Bill Action: HOUSE FILE 48, a bill for an act authorizing counties to contract with certified public accountants to audit their financial records and transactions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5078.

Final Vote: Ayes, 8: A. Miller, Wells, Brown, Colton, Goodwin, Mann, C. Miller and Vande Hoef. Nays, none. Absent or not voting, 2: Briles and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:06 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 2, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2002, a bill for an act relating to ownership rights to dies, molds, and forms.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Husak, Doyle, Taylor, Anderson, Gratias, Hulse, Hutchins, A. Miller and Rodgers. Nays, 2: Mann and Readinger. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2063, a bill for an act relating to the Iowa Product development corporation Act.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5082.

Final Vote: Ayes, 11: Husak, Doyle, Taylor, Anderson, Gratias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved SSB 2112 and ordered redrafted as a committee bill; placed Jack C. Bailey, Governor's appointee on the Individual Confirmation Calendar.

Adjourned: 2:30 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanton Danielson, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-5078	H.F.	48	Local Government
S-5079	S. F.	2018	Patrick J. Deluhery
S-5080	S. F.	2089	Berl E. Priebe
S-5081	S. F.	510	Agriculture
S-5082	S. F.	2063	Small Business & Economic Development
S-5083	S. F.	2089	Tom Slater
S-5084	S. F.	2089	Charles Bruner
			Emil J. Husak
			Richard F. Drake
			Berl E. Priebe
S-5085	S. F.	2089	Joe J. Welsh
S-5086	H.F.	2006	Wally E. Horn

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:20 p.m., until 10:00 a.m., Monday, February 6, 1984.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 6, 1984

The Senate met in regular session at 10:00 a.m., Senator Carr presiding.

Prayer was offered by the Reverend Jack Hooten, pastor of the Sharon United Methodist Church, Cedar Rapids, Iowa.

The Journal of Thursday, February 2, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Jensen, Gratias and Vande Hoef for the morning session, Senator Hester for the day, and Senator Schwengels for the week on request of Senator Hultman; Senator Kinley for the morning session on request of Senator Palmer; Senators Miller of Cerro Gordo and Priebe for the day and Senator Miller of Des Moines for the morning session on request of Senator Junkins.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 2, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the name of Eric W. Dee, State Center, Marshall County, Iowa, for appointment to the Family Farm Development Authority pursuant to Section 175.3, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate Joint Resolution 2005, by Taylor, Waldstein, Schwengels, Holden, Goodwin, Holt, Gratias, Nystrom, Priebe, Vande Hoef, Soorholtz, Tieden, Hulse, Jensen, Briles and Hultman, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to protection of taxpayers' rights by limiting taxes, revenue, spending, and related activities of the state and local governments.

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform you honorable body that the House has on February 2, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 598, a bill for an act relating to altering, defacing, or removing a serial or identification mark or number and providing penalties.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 33 present, 17 absent and a quorum present.

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

The Senate resumed session, Senator Carr presiding.

INTRODUCTION OF BILL

Senate File 2131, by Van Gilst, a bill for an act requiring a motorized bicycle operator to display a flag or cloth while on the highway, with penalties applicable.

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.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:37 a.m., until 4:00 p.m.

AFTERNOON SESSION

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

HOUSE MESSAGES RECEIVED

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 February 2, 1984, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 159, a bill for an act authorizing the establishment and maintenance of an emergency warning system within townships (S—5089).

Senate File 345, a bill for an act authorizing specified professionals to dispense and issue prescription drugs and controlled substances and to delegate nonjudgmental dispensing functions and providing a penalty (S—5090).

INTRODUCTION OF BILLS

Senate File 2132, by Committee on Judiciary, a bill for an act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse.

Read first time and placed on calendar.

Senate File 2133, by Taylor, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years.

Read first time and passed on file.

Senate File 2134, by Schwengels and Hall, a bill for an act relating to the control or eradication of the multiflora rose and making an appropriation.

Read first time and passed on file.

Senate File 2135, by Deluhery and Tieden, a bill for an act relating to electric transmission line, wire, or cable franchises and making civil penalties applicable.

Read first time and passed on file.

Senate File 2136, by Schwengels, a bill for an act requiring state banks, private banks, and state savings and loan associations to obtain and maintain account insurance.

Read first time and passed on file.

Senate File 2137, by Committee on Judiciary, a bill for an act relating to the certification of documents and providing a penalty.

Read first time and placed on calendar.

Senate File 2138, by Committee on Judiciary, a bill for an act relating to the time within which to contest wills, file claims, make spousal elections and take certain other actions with respect to decedents' estates.

Read first time and placed on calendar.

QUORUM CALL

Senator Deluhery 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 (Regular Calendar)

Senator Deluhery asked and received unanimous consent to take up out of order Senate File 324.

Senate File 324

On motion of Senator Bruner, Senate File 324, a bill for an act relating to skilled nursing care coverage provided by insurers and hospital and medical service corporations to hospitalized insureds and subscribers, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, 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:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, C.P.	Nystrom	Palmer	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hester	Lind	Miller, A.V.	Priebe
Schwengels	Slater		

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

Senator Deluhery asked and received unanimous consent to take up out of order House File 508.

House File 508

On motion of Senator Coleman, House File 508, a bill for an act to eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman offered amendment S—5068 filed by the committee on Transportation on February 1, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5068 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 508) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhéry
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, C.P.	Nystrom	Palmer	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hester	Lind	Miller, A.V.	Priebe
Schwengels			

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

House File 523

On motion of Senator Doyle, House File 523, a bill for an act to provide for reciprocity among the states on the license fee for fur buyers, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—5076 filed by Senators Doyle and Van Gilst on February 1, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5076 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 523) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Nystrom	Palmer	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 1:

Miller, C.P.

Absent or not voting, 5:

Hester	Lind	Miller, A.V.	Priebe
Schwengels			

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

APPENDIX

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 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 sixth day of February, 1984:

Senate File 2045.

K. MARIE THAYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE (Place Nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Appropriations assigned to investigate the character and qualifications of Timothy D. Neville, Red Oak, Montgomery County, Iowa, for appointment as a member of the State Board of Regents under the provisions of Section 262.2, 1983 Code of Iowa, for a term beginning immediately, and ending April 30, 1989, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON APPROPRIATIONS
ARTHUR A. SMALL, JR., Chair

FURTHER REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on pages 317-318 of the Senate Journal.

Final Bill Action: SENATE FILE 2132 (SSB 2042), a bill for an act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of other than the surviving spouse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2137 (SSB 2049), a bill for an act relating to the certification of documents and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2138 (SSB 2053), a bill for an act relating to the time within which to contest wills, file claims, make spousal elections and take certain other actions with respect to decedents' estates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, 1: Deluhery. Absent or not voting, 2: Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

S.S.B. 2137 Education

To provide for the establishment of programs relating to staff development incentives for school districts.

S.S.B. 2138 State Government

To allow the Iowa beer and liquor control department to establish by rule fines up to ten thousand dollars to be levied against licensees and permittees for violations of the law.

S.S.B. 2139 State Government

Relating to the competitive bidding procedures of the department of general services.

S.S.B. 2140 State Government

Relating to election laws by providing for biennial school elections and certain technical corrections to the voting laws and providing a January 1, 1985 effective date.

S.S.B. 2141 Judiciary

Relating to the priority of construction mortgage liens.

S.S.B. 2142 Small Business & Economic Development

To establish a business license program and license center and providing effective dates.

S.S.B. 2143 State Government

Relating to the computation of years of service for determining retirement benefits under the Iowa public employees' retirement system.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH**

Convened: February 2, 1984, 11:05 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Hulse and Mann.

Members Absent: Gentleman, Ranking Member.

Other Committee Business: Donald McKee, Council President of AFSCME #61 and others, gave report relating to correctional institutions; Rev. Allen Hermeier, Northwood, Iowa, spoke of Cursillo, a religious self-help group for prisoners; Bob Reynolds, associated with Prison Fellowship, told of ways volunteers support prisoners.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 2, 1984, 11:07 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Hutchins and Nystrom.

Members Absent: Lind, Ranking Member (excused.)

Other Committee Business: Hearing on Board of Regents.

Adjourned: 12:11 p.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 2, 1984, 11:10 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: DSS presentation of central office budget.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: February 2, 1984, 11:05 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: John Crandall of Disaster Services, gave budget requests for his department.

Adjourned: 11:40 a.m.

COMMERCE

Convened: February 2, 1984, 8:02 a.m.

Members Present: Kinley, Chair; Jensen, Ranking Member; Deluhery (arrived 8:03 a.m.), Gallagher, Holden, Palmer and Tieden.

Members Absent: Priebe (Vice Chair); Bruner and Nystrom.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:04 a.m.

JUDICIARY

Convened: February 6, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh.

Members Absent: Small.

Final Bill Action: SENATE FILE 2067, a bill for an act relating to penalties incurred when a person is convicted of drag racing.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Gentleman, Goodwin, Holt, Horn, Welsh and Dieleman. Nays, 1: Drake. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:40 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ashton McCrary, M.D., Lake City, Iowa.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirteen students from Adel Senior High School, Adel, Iowa, accompanied by Mary Moehlis. Senator Rodgers.

AMENDMENTS FILED

S-5087	S. F.	2130	Joe Brown
S-5088	H.F.	2072	Arthur A. Small, Jr.
S-5089	S. F.	159	House Amendment
S-5090	S. F.	345	House Amendment
S-5091	S. F.	2130	Arthur L. Gratias

S—5092 H.F. 2072 Calvin O. Hultman
Douglas Ritsema
Dale L. Tieden
Lee W. Holt
Edgar H. Holden

ADJOURNMENT

On motion of Senator Deluhery, the Senate adjourned at 4:25 p.m., until 9:00 a.m., Tuesday, February 7, 1984.

JOURNAL OF THE SENATE

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THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 7, 1984

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

Prayer was offered by the Reverend Roy Pasley, pastor of the First Baptist Church of Boone, Boone, Iowa.

The Journal of Monday, February 6, 1984, was approved.

INTRODUCTION OF BILLS

Senate File 2139, by Dieleman, a bill for an act to abolish the state racing commission and repeal the legalization of pari-mutuel betting.

Read first time and passed on file.

Senate File 2140, by Dieleman, a bill for an act repealing the legalization of pari-mutuel betting at dog races.

Read first time and passed on file.

Senate File 2141, by Readinger, a bill for an act relating to actions by the court regarding child custody.

Read first time and passed on file.

Senate File 2142, by Bruner, a bill for an act relating to the individual income tax by reducing the rate of tax on the first two thousand dollars of taxable income and limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes and making the Act retroactive.

Read first time and passed on file.

Senate File 2143, by Horn, a bill for an act relating to the removal of a child from the state by a custodial parent and providing a penalty.

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

Senate File 2144, by Horn, a bill for an act relating to the responsibility of a joint custodial parent awarded physical care to provide for the best interests of the minor child.

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

Senate File 2145, by Horn, a bill for an act requiring a court to order child custody awards which will assure the maximum continuing contact with both parents.

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

Senate File 2146, by Horn, a bill for an act relating to a credit on individual income tax liability for school tuition, textbooks, and transportation and providing an effective date.

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

Senate File 2147, by Taylor and Miller of Cerro Gordo, a bill for an act relating to the exchange of information between agricultural supply dealers and financial institutions.

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

Senator Colton took the chair at 9:35 a.m.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:36 a.m., until 11:15 a.m.

RECONVENED

The Senate reconvened at 11:20 a.m., Senator Jensen presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

INTRODUCTION OF BILLS

Senate File 2148, by Jensen and Gentleman, 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 **passed on file**.

Senate File 2149, by Hultman, a bill for an act relating to the disclosure and audits or records of public employee organizations.

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

Senate File 2150, by Rodgers, a bill for an act relating to the rate of tax on motor fuel, gasohol, and special fuel by providing that the rates be adjusted by a fuel tax adjustment factor.

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

Senate File 2151, by Committee on Small Business and Economic Development, a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for increasing employment over previous years.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 11:28 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., President Anderson presiding.

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 February 3, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 601, a bill for an act relating to appeal of bond set after parole revocation.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2152, by Carr and Horn, a bill for an act relating to the duties of the state board of regents including financial planning, provision of information, and nonresident student quotas.

Read first time and passed on file.

Senate File 2153, by Committee on Agriculture, a bill for an act relating to drainage district expenses and assessments.

Read first time and placed on calendar.

Senate File 2154, by Committee on State Government, a bill for an act to extend the sunset provision on community action agencies to July 1, 1986.

Read first time and placed on calendar.

Senate File 2155, by Committee on State Government, a bill for an act relating to internal expense reporting and payroll procedures in the office of the auditor of state.

Read first time and placed on calendar.

QUORUM CALL

Senator Junkins 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

(Deferred February 2, 1984)

House File 2072

The Senate resumed consideration of House File 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund, deferred February 2, 1984.

Senator Small offered amendment S—5074 filed by him on February 1, 1984, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5074 was adopted by a voice vote.

Senator Drake offered amendment S—5077 filed by Senators Drake and Welsh on February 1, 1984, 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—5077 be adopted?" (H.F. 2072) the vote was:

Ayes, 31:

Anderson	Briles	Carr	Coleman
Colton	Dieleman	Doyle	Drake
Gallagher	Gettings	Goodwin	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Kinley
Miller, C.P.	Palmer	Priebe	Rife
Ritzema	Soorholtz	Taylor	Vande Hoef
Van Gilst	Wells	Welsh	

Nays, 17:

Brown	Bruner	Deluhery	Gentleman
Gratias	Hultman	Jensen	Junkins
Mann	Miller, A.V.	Nystrom	Readinger
Rodgers	Slater	Small	Tieden
Waldstein			

Absent or not voting, 2:

Lind	Schwengels
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Amendment S—5077 was adopted.

With the adoption of amendment S—5077, the Chair ruled amendment S—5097 filed by Senators Welsh, Carr and Drake from the floor to page 2 of the bill, out of order.

Senator Ritsema offered amendment S—5093 filed by him from the floor to page 7 of the bill, moved its adoption and requested a non record roll call.

The ayes were 14, nays 33.

Amendment S—5093 lost.

Senator Small offered amendment S—5088 filed by him on February 6, 1984, to page 9 and the title page of the bill and called for a division: lines 2 through 26 as division S—5088A and lines 27 through 31 as division S—5088B.

Senator Colton took the chair at 5:05 p.m.

Senator Small withdrew division S—5088B.

Senator Priebe raised the point of order that division S—5088A was not germane to the bill.

The Chair ruled the point not well taken and division S—5088A in order.

Senator Small moved the adoption of division S—5088A.

A record roll call was requested.

On the question "Shall division S—5088A be adopted?" (H.F. 2072) the vote was:

Ayes, 33:

Anderson
Carr
Drake
Horn
Junkins
Nystrom
Rife
Taylor
Welsh

Briles
Deluhery
Gettings
Hultman
Kinley
Palmer
Slater
Tieden

Brown
Dieleman
Goodwin
Hutchins
Miller, A.V.
Priebe
Small
Van Gilst

Bruner
Doyle
Hall
Jensen
Miller, C.P.
Readinger
Soorholtz
Wells

Nays, 15:

Coleman	Colton	Gallagher	Gentleman
Gratias	Hester	Holden	Holt
Hulse	Husak	Mann	Ritsema
Rodgers	Vande Hoef	Waldstein	

Absent or not voting, 2:

Lind Schwengels

Division S—5088A was adopted.

Senator Small offered amendment S—5098 filed by him from the floor to the title page of the bill and moved its adoption.

Amendment S—5098 was adopted by a voice vote.

Senator Hultman offered amendment S—5092 filed by Senators Hultman, et al., on February 6, 1984, to page 9 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5092 be adopted?" (H.F. 2072) the vote was:

Ayes, 20:

Briles	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Nystrom
Readinger	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Absent or not voting, 2:

Lind Schwengels

Amendment S—5092 lost.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2072) the vote was:

Ayes, 35:

Anderson	Briles	Brown	Bruner
Carr	Deluhery	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Holt	Hulse	Hultman
Hutchins	Jensen	Junkins	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Readinger
Rife	Ritsemā	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	

Nays, 13:

Coleman	Colton	Doyle	Gallagher
Gettings	Holden	Horn	Husak
Kinley	Palmer	Priebe	Waldstein
Welsh			

Absent or not voting, 2:

Lind Schwengels

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

Senator Junkins asked and received unanimous consent that House File 2072 be immediately messaged to the House.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5084 to Senate amendment S—5062 to Senate File 2089, the following technical corrections were made:

1. Page 1, line 19, "or older vehicles". was changed to "or older vehicles."

2. Page 1, line 20, the page and line number cited is stricken in the previous operation of the amendment (S—5084); therefore, the language cited in lines 21 through 27 of S—5084 was inserted after the word "vehicles." instead of after the word "harnesses."

K. MARIE THAYER
Secretary of the Senate

FURTHER REPORTS OF COMMITTEE MEETINGS

AGRICULTURE*

*A previous report of this meeting was recorded on page 316 of the Senate Journal.

Final Bill Action: SENATE FILE 2153 (SSB 2044), a bill for an act relating to drainage expenses and assessments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, A. Miller, Hutchins, Gallagher, Husak, Waldstein, Vande Hoef and Van Gilst. Nays, 1: Hester. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS & ECONOMIC DEVELOPMENT*

*A previous report of this meeting was recorded on page 319 of the Senate Journal.

Final Bill Action: SENATE FILE 2151 (SSB 2112), a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for increasing employment over previous years.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Husak, Doyle, Taylor, Anderson, Gratias, Hulse, Hutchins, A. Miller and Rodgers. Nays, none. Voting present, 2: Mann and Readinger. Absent or not voting, 1: Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	2005	Ways and Means
S. F.	2131	Transportation
S. F.	2133	Ways and Means
S. F.	2134	Natural Resources
S. F.	2135	Commerce
S. F.	2136	Commerce
H. F.	598	Judiciary

STUDY BILLS RECEIVED**S.S.B. 2144 Education**

To provide additional weighting of one pupil for school districts participating in the supplementary weighting plan.

S.S.B. 2145 Judiciary

Relating to the offense of operating a motor vehicle while under the influence of alcohol or other drugs, and providing penalties.

S.S.B. 2146 Agriculture

To establish a meat export technology and policy research center at Iowa state university of science and technology.

S.S.B. 2147 Commerce

Relating to the licensing of insurance agents.

S.S.B. 2148 Commerce

Relating to the methods used by insurance companies in reporting annual statements to the commissioner of insurance.

S.S.B. 2149 Small Business & Economic Development

Relating to the membership of the Iowa development commission.

S.S.B. 2150 Agriculture

Relating to tests and standards for motor vehicle fuel.

S.S.B. 2151 Small Business & Economic Development

Increasing the bonding capacity of the Iowa housing finance authority and its small business loan program.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration placed the following appointment to a state board on the **En Bloc Confirmation Calendar** on February 7, 1984, and recommended the appointment be confirmed by the Senate:

Eric W. Dee—Family Farm Development Authority

LOWELL L. JUNKINS, Chair

**REPORTS OF STANDING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)**

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the character and qualifications of Russell H. Watt, Marshalltown, Marshall County, Iowa, as a member of the Commission for the Blind under the provisions of Section 601B.1-4, 1983 Code of Iowa, for a term beginning immediately, and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON STATE GOVERNMENT
TOM SLATER, Chair**

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the character and qualifications of Mary B. Haldane, Des Moines, Polk County, Iowa, as a member of the Iowa Higher Education Loan Authority under the provisions of Section 261A.6, 1983 Code of Iowa, for the unexpired portion of a term beginning immediately and ending April 30, 1988, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON EDUCATION
JOE BROWN, CHAIR**

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 6, 1984, 10:20 a.m.

Members Present: Small, Chair; Palmer, Vice Chair; Tieden, Ranking Member; Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Readinger, Waldstein and Wells.

Members Absent: Husak, Lind, Schwengels (excused) and Welsh.

Other Committee Business: Recommended confirmation of Governor's appointee, Timothy D. Neville.

Adjourned: 10:30 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 6, 1984, 1:35 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair; Hulse, Ranking Member; Colton, Gettings, Hultman (arrived 1:40 p.m.), Hutchins, Jensen and Wells.

Members Absent: Vande Hoef (excused.)

Final Bill Action: SENATE FILE 2040, a bill for an act amending Iowa's unemployment compensation law by crediting earned interest on the special employment security contingency fund to the temporary emergency surcharge fund, by limiting expenditures from the special employment security contingency fund, by annually transferring certain amounts from the special employment security contingency fund to the temporary emergency surcharge fund or to the unemployment trust fund, and by requiring an annual departmental report detailing planned expenditures from the special employment security contingency fund.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Anderson, Slater, Hulse, Colton, Gettings, Hultman, Hutchins, Jensen and Wells. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved LSB 3138H and SSB 2074 and ordered redrafted as committee bills.

Adjourned: 1:50 p.m.

STATE GOVERNMENT

Convened: February 7, 1984, 2:36 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Schwengels (excused.)

Final Bill Action: SENATE FILE 2154 (SSB 2005), a bill for an act to extend the sunset provision on community action agencies to July 1, 1986.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2155 (SSB 2097), a bill for an act relating to internal expense reporting and payroll procedures in the office of the auditor of state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Bruner, Briles, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; amended and approved SSB 2046 and ordered redrafted as a committee bill; recommended confirmation of Governor's appointee, Russell H. Watt.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: February 7, 1984, 3:38 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member (arrived 3:44 p.m.); Doyle, Hall, Jensen, Nystrom, Priebe and Welsh.

Members Absent: Lind (excused.)

Final Bill Action: SENATE CONCURRENT RESOLUTION 104, a resolution relating to federal highway funds and the release of interstate cost estimates.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Nystrom, Priebe and Welsh. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2081 and 2082 ordered redrafted as committee bills.

Adjourned: 4:02 p.m.

WAYS AND MEANS

Convened: February 6, 1984, 1:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member (arrived 1:40 p.m.); Brown (arrived 1:50 p.m.), Deluhery, Dieleman, Gratias (arrived 1:50 p.m.), Holt (arrived 1:40 p.m.), Readinger, Rodgers, Soorholtz and Van Gilst.

Members Absent: Hester and Small (excused) and Carr.

Other Committee Business: The add-on minimum tax was discussed by Rusty Goode, Larry Mosebach, Mark Ernst and Stan Bonta of the Iowa Society of Certified Public Accountants and Carl Castelda, Rich Jacobs, Don Cooper and Jim Hamilton of the Revenue Department.

Adjourned: 2:40 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanley Roberts, D.O., resident at Iowa Lutheran Hospital, Des Moines, Iowa.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Sue Yenger, former Senator from Wapello County, Ottumwa, Iowa, who was present in the Senate chamber.

AMENDMENTS FILED

S—5093	H.F.	2072	Douglas Ritsema
S—5094	S. J. R.	2003	Douglas Ritsema
			Arne Waldstein
S—5095	S. F.	2091	Tom Mann, Jr.
			Richard Vande Hoef
S—5096	S. F.	2124	Douglas Ritsema
S—5097	H.F.	2072	Joe J. Welsh
			Bob Carr
			Richard F. Drake
S—5098	H.F.	2072	Arthur A. Small, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Wednesday, February 8, 1984.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 8, 1984

The Senate met in regular session at 9:00 a.m., Senator Doyle presiding.

Prayer was offered by the Reverend Ron Bryan, pastor of the Pleasant Plains Friends Church, Brighton, Iowa.

The Journal of Tuesday, February 7, 1984, 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 February 6, 1984, passed the following bill in which the concurrence of the House was asked:

Senate File 475, a bill for an act to provide for a regulatory flexibility analysis in the promulgation of administrative rules.

ALSO: That the House has on February 6, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2031, a bill for an act stipulating collective bargaining representation for employees of a district board of correctional services.

This bill was read first time and **passed on file**.

House File 2170, a bill for an act relating to duties and responsibilities of probation officers.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 105, by Taylor, Gentleman, Ritsema, Goodwin, Readinger, Jensen, Soorholtz, Drake,

Waldstein, Vande Hoef, Tieden, Hester, Gratias, Holden, Holt, Hulse, Nystrom, Briles and Lind, a concurrent resolution relating to industrial homework.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2156, by Husak, a bill for an act relating to the administration of the extraordinary property tax credit or reimbursement.

Read first time and passed on file.

Senate File 2157, by Welsh, a bill for an act to credit federal oil overcharge moneys apportioned to this state to an oil overcharge fund created in the office of the treasurer of state.

Read first time and passed on file.

Senate File 2158, by Anderson, a bill for an act relating to the holding of games of skill, chance, and raffles including bingo, legalizing pull-tab bingo and making penalties applicable.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:30 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., Senator Doyle presiding.

INTRODUCTION OF BILLS

Senate File 2159, by Committee on Labor and Industrial Relations, a bill for an act to allow limited child modeling under the child labor laws.

Read first time and placed on calendar.

Senate File 2160, by Committee on Labor and Industrial Relations, a bill for an act to provide a preference for residents in awarding of public contracts in certain situations.

Read first time and placed on calendar.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Deluhery and Miller of Des Moines for the remainder of the week on request of Senator Junkins; Senator Nystrom for the afternoon session on request of Senator Hultman.

QUORUM CALL

Senator Junkins 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 AMENDMENTS CONSIDERED

Senate File 345

Senator Slater called up for consideration Senate File 345, a bill for an act authorizing specified professionals to dispense and issue prescription drugs and controlled substances and to delegate nonjudgmental dispensing functions and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5090 filed on February 6, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Slater moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 345) the vote was:

Ayes, 42:

Anderson
Carr

Briles
Coleman

Brown
Colton

Bruner
Dieleman

Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hester	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 3:

Gentleman	Hall	Holden
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Absent or not voting, 5:

Deluhery	Lind	Miller, C.P.	Nystrom
Schwengels			

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

Senate File 159

Senator Mann called up for consideration Senate File 159, a bill for an act authorizing the establishment and maintenance of an emergency warning system within townships, amended by the House, and moved that the Senate concur in House amendment S—5089 filed February 6, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Mann moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, 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, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins

Jensen
Miller, A.V.
Rife
Soorholtz
Van Gilst

Junkins
Palmer
Rodgers
Taylor
Waldstein

Kinley
Priebe
Slater
Tieden
Wells

Mann
Readinger
Small
Vande Hoef
Welsh

Nays, 1:

Ritsema

Absent or not voting, 5:

Deluhery
Schwengels

Lind

Miller, C.P.

Nystrom

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 Junkins asked and received unanimous consent to take up out of order Senate File 2091.

Senate File 2091

On motion of Senator Vande Hoef, Senate File 2091, a bill for an act relating to the acquisition of legal settlement by persons hospitalized in or receiving treatment at a state mental health institute, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5095 filed by Senators Mann and Vande Hoef on February 7, 1984, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5095 was adopted by a voice vote.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2091) the vote was:

Ayes, 44:

Anderson

Brown

Bruner

Carr

Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Deluhery	Lind	Miller, C.P.
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 2119

On motion of Senator Ritsema, Senate File 2119, a bill for an act making the three-day notice to quit given by mobile/manufactured home landlords concurrent with the three-day notice for failure to pay rent, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2119) the vote was:

Ayes, 37:

Anderson	Brown	Carr	Coleman
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Miller, A.V.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 5:

Bruner	Colton	Mann	Slater
Small			

Voting present, 1:

Hutchins

Absent or not voting, 7:

Briles	Deluhery	Gallagher	Lind
Miller, C.P.	Nystrom	Schwengels	

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

Senate File 2124

On motion of Senator Ritsema, Senate File 2124, a bill for an act relating to the parental responsibility for actions of children, was taken up for consideration.

Senator Ritsema offered amendment S—5096 filed by him on February 7, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5096 was adopted by a voice vote.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2124) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Palmer	Priebe
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 4:

Gallagher	Gentleman	Readinger	Tieden
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Absent or not voting, 6:

Briles	Deluhery	Lind	Miller, C.P.
Nystrom	Schwengels		

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

Senate File 2125

On motion of Senator Ritsema, Senate File 2125, a bill for an act relating to the accrual of prejudgment interest after a refusal to accept an offer to confess judgment, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2125) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Deluhery	Lind	Miller, C.P.
Nystrom	Schwengels		

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

Senate File 2127

On motion of Senator Coleman, Senate File 2127, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2127) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Deluhery	Lind	Miller, C.P.
Nystrom	Schwengels		

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

Senate File 2002

On motion of Senator Taylor, Senate File 2002, a bill for an act relating to ownership rights to dies, molds, and forms, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2002) the vote was:

Ayes, 34:

Anderson	Brown	Coleman	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A. V.	Priebe
Rife	Ritsema	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 8:

Bruner	Carr	Colton	Mann
Palmer	Readinger	Rodgers	Slater

Absent or not voting, 8:

Briles	Deluhery	Gallagher	Lind
Miller, C.P.	Nystrom	Schwengels	Soorholtz

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

APPENDIX

STUDY BILLS RECEIVED

S.S.B. 2152 Judiciary

To reduce the penalty from a serious misdemeanor to a simple misdemeanor for operating a motor vehicle when the operator's license has been suspended or revoked for certain violations.

S.S.B. 2153 Judiciary

Relating to the maximum fine assessable upon the conviction of a class "C" or class "D" felony.

S.S.B. 2154 Judiciary

Providing for the adjudication of a truant or runaway as a child in need of assistance under the juvenile justice code.

S.S.B. 2155 Agriculture

Relating to noxious weeds listed in chapter 317.

S.S.B. 2156 Commerce

Relating to the finance charges permitted in open-end credit accounts including credit cards.

S.S.B. 2157 Commerce

To regulate interest rates on life insurance policy loans.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2139	State Government
S. F.	2140	State Government
S. F.	2141	Judiciary
S. F.	2142	Ways and Means
S. F.	2143	Judiciary
S. F.	2144	Judiciary
S. F.	2145	Judiciary

S. F.	2146	Education
S. F.	2147	Agriculture
S. F.	2148	Transportation
S. F.	2149	Labor & Industrial Relations
S. F.	2150	Transportation

COMMUNICATION

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

PROFESSIONAL AND OCCUPATIONAL REGULATION COMMISSION

On February 8, 1984, received a copy of the Professional and Occupational Regulation Commission's Annual Report pursuant to Section 2B.3 of the Code of Iowa.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 7, 1984, 9:50 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member and Hulse.

Members Absent: Mann.

Other Committee Business: Charles Palmer, Deputy Commissioner of the Department of Human Services, presented budgets of the Division of Mental Health, Mental Retardation and Developmental Disabilities; Crispus Nix, Warden of the Fort Madison State Penitentiary, presented information relating to that institution; Paul Grossheim presented the budget.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 7, 1984, 9:42 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Hutchins and Nystrom.

Members Absent: Lind, Ranking Member (excused.)

Other Committee Business: Hearing on budget for the Board of Regents, School for the Deaf and Iowa Braille and Sight Saving School.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 7, 1984, 9:50 a.m.

Members Present: Husak, Chair; Colton, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Other Committee Business: Presentations by State Department of Health, Division of Disease Prevention and the Professional Licensing Board.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 7, 1984, 9:45 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member and Rodgers.

Members Absent: Jensen (excused.)

Other Committee Business: Overview and budget review for the State Treasurer and Public Employment Relations Board.

Adjourned: 11:06 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 7, 1984, 9:48 a.m.

Members Present: Dieleman, Chair; C. Miller and Ritsema.

Members Absent: Deluhery, Vice Chair and Schwengels, Ranking Member (both excused.)

Other Committee Business: Budget proposals were presented by: Dennis Prouty, director, Legislative Fiscal Bureau; James McMillan, executive director, Academy of Science; Al Meier, Bureau of Labor.

Adjourned: 10:59 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: February 7, 1984, 9:40 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member and Coleman.

Members Absent: Holden (excused.)

Other Committee Business: Disaster Service continued budget overview of department's budget requests.

Adjourned: 10:20 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 7, 1984, 4:00 p.m.

Members Present: Anderson, Chair; Hulse, Ranking Member; Colton, Gettings, Jensen, Vande Hoef and Wells.

Members Absent: Slater, Vice Chair; Hultman and Hutchins.

Final Bill Action: SENATE FILE 2159 (SSB 2074), a bill for an act to allow child modeling under the child labor laws.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Anderson, Hulse, Colton, Gettings, Jensen, Vande Hoef and Wells. Nays, none. Absent or not voting, 3: Slater, Hultman and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2160, a bill for an act to provide a preference for residents in awarding of public contracts in certain situations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Anderson, Hulse, Colton, Gettings, Jensen, Vande Hoef and Wells. Nays, none. Absent or not voting, 3: Slater, Hultman and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:05 p.m.

NATURAL RESOURCES

Convened: February 8, 1984, 8:00 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife.

Members Absent: Schwengels, Ranking Member (excused.)

Final Bill Action: HOUSE FILE 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5100.

Final Vote: Ayes, 9: Van Gilst, Rodgers, Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 446, a bill for an act providing for the creation, management, and administration of a protected water area system in this state.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Van Gilst, Rodgers, Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:27 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 7, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers.

Members Absent: Lind (excused.)

Other Committee Business: Assigned bills to subcommittees; appointed a subcommittee to study the World Trade Center: Husak, Chair; Rodgers, Doyle, A. Miller, Readinger, Taylor and Hulse.

Adjourned: 1:40 p.m.

STATE GOVERNMENT

Convened: February 1, 1984, 3:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member; Briles and Schwengels (all excused.)

Other Committee Business: Assigned bills to subcommittees; reassigned study bills to subcommittees; approved SSBs 2005 and 2097 and ordered redrafted as committee bills.

Adjourned: 3:45 p.m.

WAYS AND MEANS

Convened: February 7, 1984, 3:30 p.m.

Members Present: Palmer, Chair; Holden, Ranking Member; Brown (arrived 3:40 p.m.), Carr, Deluhery (arrived 3:50 p.m.), Dieleman, Gratias (arrived 3:42 p.m.) Heister, Holt, Readinger (arrived 3:35 p.m.), Rodgers, Soorholtz and Van Gilst.

Members Absent: Husak, Vice Chair (excused) and Small.

Other Committee Business: Senate Files 2007 and 2039 were discussed and deferred by the committee.

Adjourned: 4:05 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Alan Vasher, D.O., Ida Grove, Iowa.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Richard J. Norpel, former member of the House and Senate from Jackson County, who was present in the Senate chamber.

AMENDMENTS FILED

S—5099	S. F.	489	Emil J. Husak
S—5100	H. F.	406	Natural Resources

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Thursday, February 9, 1984.

JOURNAL OF THE SENATE

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THIRTY-SECOND CALENDAR DAY TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 9, 1984

The Senate met in regular session at 9:00 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Marvin Arnpriester, pastor of the First United Methodist Church, Carroll, Iowa.

The Journal of Wednesday, February 8, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hester for the day and Senator Drake 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 February 3, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 257, a bill for an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties.

This bill was read first time and passed on file.

House File 595, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 6, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2068, a bill for an act requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentages which are to be charged to the stockholders.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 7, 1984, passed the following bills in which the concurrence of the House was asked:

House File 2124; a bill for an act repealing the sunset clause of the crime victim reparation program.

This bill was read first time and **passed on file**.

House File 2212, a bill for an act to provide for the placement of validation stickers on only the rear registration plate for certain motor vehicles.

This bill was read first time and **passed on file**.

House File 2229, a bill for an act modifying the definitions and schedules of controlled substances and providing a penalty.

This bill was read first time and referred to the committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 2161, by Committee on Transportation, a bill for an act to nullify an administrative rule of the department of transportation establishing certain equipment standards on implements of husbandry.

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

Senate File 2162, by Hultman and Gentleman, a bill for an act relating to unemployment compensation by recomputing maximum weekly benefit amounts, by modifying the attachment and reattachment eligibility requirements, by affecting benefit amounts in certain disqualification and employer-closing cases, by modifying eligibility requirements in job bumping, educational interim, voluntary quit, and waiting-week cases, by modifying certain burden of proof requirements, by modifying certain special contribution rate requirements, by transferring employer charges in certain voluntary quit cases, by affecting the election to become a reimbursable employer, by modifying the interest payable on delinquent employer accounts, by affecting the procedures for levying against the funds of governmental entities, by modifying certain administrative penalties, by setting off overpayments against income tax refunds and delinquent contributions against benefits to employers, by restricting expenditures from the special employment security contingency fund, by making technical and conforming changes to chapter 96, and by providing effective dates.

Read first time and passed on file.

Senate File 2163, by Horn, a bill for an act relating to the definition of "best interest of the child" during dissolution proceedings.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:10 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., Senator Brown presiding.

INTRODUCTION OF BILLS

Senate File 2164, by Gentleman, Hutchins and Slater, a bill for an act relating to the membership of the Iowa public broadcasting board.

Read first time and passed on file.

Senate File 2165, by Committee on State Government, a bill for an act to provide for the development of a proposal to reduce upper-level management positions in certain state agencies.

Read first time and placed on calendar.

Senate File 2166, by Schwengels, a bill for an act to establish preferred credits in the administration of the agricultural land tax credits for land with a soil loss of less than five tons per acre.

Read first time and passed on file.

Senate File 2167, by Committee on Education, a bill for an act to repeal the requirement that a meeting be called upon request by the area education agency board or a contiguous school district concerning a proposal by a school district board to issue general obligation bonds for construction or renovation of a school building.

Read first time and placed on calendar.

Senate File 2168, by Committee on Education, a bill for an act relating to programs for returning dropouts and dropout prevention by a local school district.

Read first time and placed on calendar.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Hultman raised the point of order that **Senate File 2151** be referred to the committee on Ways and Means under Senate Rule 38.

The Chair ruled the point well taken and **Senate File 2151** was referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 48.

House File 48

On motion of Senator Colton, House File 48, a bill for an act authorizing counties to contract with certified public accountants to audit their financial records and transactions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Colton offered amendment S—5078 filed by the committee on Local Government on February 2, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5078 was adopted by a voice vote.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 48) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Delehery	Hester	Lind	Miller, C.P.
Schwengels			

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2129.

Senate File 2129

On motion of Senator Doyle, Senate File 2129, a bill for an act to make nonsubstantive corrections to the Code, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2129) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritserma	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Hester	Lind	Miller, C.P.
Schwengels			

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2101.

House File 2101

On motion of Senator Gratias, House File 2101, a bill for an act authorizing an area education agency to issue warrants and anticipatory warrants and providing for the payment of interest, with report of committee recommending passage, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2101) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Hester	Lind	Miller, C.P.
Rodgers	Schwengels		

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

Senate File 2067

On motion of Senator Husak, Senate File 2067, a bill for an act relating to penalties incurred when a person is convicted of drag racing, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2067) the vote was:

Ayes, 35:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Doyle	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Nystrom	Priebe	Readinger	Ritzema
Rodgers	Slater	Small	Tieden
Van Gilst	Wells	Welsh	

Nays, 10:

Brown	Dieleman	Drake	Holden
Palmer	Rife	Soorholtz	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 5:

Deluhery	Hester	Lind	Miller, C.P.
Schwengels			

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

Senate File 2130

On motion of Senator Colton, Senate File 2130, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date, was taken up for consideration.

Senator Taylor offered amendment S—5101 filed by Senators Taylor and Holden from the floor to pages 1 through 12 of the bill.

Senator Gallagher asked unanimous consent that action on Senate File 2130 be deferred for preparation of a fiscal note.

Senator Gallagher withdrew his request.

Senator Taylor moved the adoption of amendment S—5101.

A record roll call was requested.

On the question "Shall amendment S—5101 be adopted?" (S.F. 2130) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 18:

Carr	Coleman	Gentleman	Goodwin
Gratias	Holden	Holt	Hulse
Hultman	Jensen	Palmer	Ritsema
Slater	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, 25:

Anderson	Brown	Bruner	Colton
Dieleman	Doyle	Drake	Gallagher
Gettings	Hall	Horn	Husak
Hutchins	Junkins	Kinley	Mann
Nystrom	Priebe	Readinger	Rife
Rodgers	Small	Soorholtz	Van Gilst
Wells			

Absent or not voting, 7:

Briles	Deluhery	Hester	Lind
Miller, A.V.	Miller, C.P.	Schwengels	

Amendment S—5101 lost.

Senator Colton offered amendment S—5087 filed by Senator Brown on February 6, 1984, to page 7 of the bill and moved its adoption.

Amendment S—5087 was adopted by a voice vote.

Senator Gratias asked and received unanimous consent that further action on Senate File 2130 be deferred for preparation of an amendment.

Senator Junkins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 104.

Senate Concurrent Resolution 104

On motion of Senator Drake, Senate Concurrent Resolution 104, a resolution relating to federal highway funds and the release of

interstate cost estimates, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved the adoption of Senate Concurrent Resolution 104, which motion prevailed by a voice vote.

Senate File 2040

On motion of Senator Hutchins, Senate File 2040, a bill for an act amending Iowa's unemployment compensation law by crediting earned interest on the special employment security contingency fund to the temporary emergency surcharge fund, by limiting expenditures from the special employment security contingency fund, by annually transferring certain amounts from the special employment security contingency fund to the temporary emergency surcharge fund or to the unemployment trust fund, and by requiring an annual departmental report detailing planned expenditures from the special employment security contingency fund, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—5102 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5102 was adopted by a voice vote.

Senator Hutchins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2040) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Deluhery	Hester	Lind
Miller, C.P.	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 2130

The Senate resumed consideration of Senate File 2130, previously deferred.

Senator Gratias withdrew amendment S—5091 filed by him on February 6, 1984, to page 8 of the bill.

Senator Gratias offered amendment S—5104 filed by him from the floor to pages 2, 8 and 9 of the bill.

Senator Ritsema called for a division of amendment S—5104: lines 7 through 11 as division S—5104A; lines 2 through 6 and lines 12 through 16 as division S—5104B.

Senator Gratias moved the adoption of division S—5104A.

A record roll call was requested.

On the question "Shall division S—5104A be adopted?" (S.F. 2130) the vote was:

Ayes, 19:

Coleman	Goodwin	Gratias	Holden
Holt	Hulse	Hultman	Jensen
Priebe	Readinger	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 24:

Anderson	Brown	Bruner	Carr
Colton	Dieleman	Doyle	Drake
Gallagher	Gentleman	Gettings	Hall

Horn
Mann
Slater

Hutchins
Miller, A. V.
Small

Junkins
Nystrom
Van Gilst

Kinley
Palmer
Welsh

Absent or not voting, 7:

Briles
Lind

Deluhery
Miller, C.P.

Hester
Schwengels

Husak

Division S—5104A lost.

Senator Gratias withdrew division S—5104B.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2130) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Anderson
Coleman
Horn
Mann
Priebe

Brown
Doyle
Hutchins
Miller, A. V.
Slater

Bruner
Gallagher
Junkins
Nystrom
Van Gilst

Carr
Gettings
Kinley
Palmer
Welsh

Nays, 21:

Colton
Goodwin
Holt
Readerger
Small
Vande Hoef

Dieleman
Gratias
Hulse
Rife
Soorholtz

Drake
Hall
Hultman
Ritsema
Taylor

Gentleman
Holden
Jensen
Rodgers
Tieden

Absent or not voting, 9:

Briles
Lind
Wells

Deluhery
Miller, C.P.

Hester
Schwengels

Husak
Waldstein

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 2130 failed to pass the Senate on February 9, 1984.

MILO COLTON

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2063.

Senate File 2063

On motion of Senator Bruner, Senate File 2063, a bill for an act relating to the Iowa product development corporation Act, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5082 filed by the committee on Small Business and Economic Development on February 2, 1984, to pages 1 through 3 of the bill.

Senator Holden offered amendment S—5105 filed by Senators Holden and Bruner from the floor to amendment S—5082 and moved its adoption.

Amendment S—5105 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5082 as amended, which motion prevailed by a voice vote.

Senator Holden withdrew amendment S—5103 filed by him from the floor to page 2 of the bill.

With the adoption of amendment S—5082 as amended, the Chair ruled amendment S—5035 filed by Senator Bruner on January 23, 1984, to pages 3 and 4 of the bill and amendment S—5053 filed by Senator Bruner on January 26, 1984, to page 2 of the bill, out of order.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2063) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Welsh

Nays, 2:

Gallagher Holden

Absent or not voting, 8:

Briles	Deluhery	Hester	Lind
Miller, C.P.	Schwengels	Waldstein	Wells

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate Files 2132 and 2137.

Senate File 2132

On motion of Senator Mann, Senate File 2132, a bill for an act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2132) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings

Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst

Nays, none.

Absent or not voting, 10:

Briles	Deluhery	Hester	Lind
Miller, A.V.	Miller, C.P.	Schwengels	Waldstein
Wells	Welsh		

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 2132 passed the Senate on February 9, 1984.

JULIA GENTLEMAN

CONSIDERATION OF BILL (Regular Calendar)

Senate File 2137

On motion of Senator Mann, Senate File 2137, a bill for an act relating to the certification of documents and providing a penalty, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2137) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden

Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst

Nays, none.

Absent or not voting, 10:

Briles	Deluhery	Hester	Lind
Miller, C.P.	Schwengels	Tieden	Waldstein
Wells	Welsh		

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 2169, by Coleman, a bill for an act including vehicles used to transport agricultural products being pulled by a tractor as implements of husbandry.

Read first time and passed on file.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 317

Assigned 3/2/83

Agriculture
Gallagher, Chair
Van Gilst
Taylor

SENATE FILE 353

Assigned 3/7/83

Agriculture
A. Miller, Chair
Husak
Taylor

SENATE FILE 2079

Finance
Rodgers, Chair
Hutchins
Tieden

SENATE FILE 2108

Local Government
Vande Hoef, Chair
Brown
Wells

SENATE FILE 2116

Commerce
Priebe, Chair
Tieden
Nystrom

SENATE FILE 2118

Transportation
Nystrom, Chair
Welsh
A. Miller

SENATE FILE 2121

State Government
Rife, Chair
Dieleman
Coleman

SENATE FILE 319

Assigned 3/2/83

Agriculture
Van Gilst, Chair
Hutchins
Hester

SENATE FILE 445

Assigned 3/16/83

Agriculture
Hester, Chair
Van Gilst
Waldstein

SENATE FILE 2083

Finance
Rodgers, Chair
Hutchins
Tieden

SENATE FILE 2114

State Government
C. Miller, Chair
Slater
Carr
Briles
Drake

SENATE FILE 2117

State Government
Coleman, Chair
Dieleman
Soorholtz

SENATE FILE 2120

Transportation
Hall, Chair
Welsh
Jensen

SENATE FILE 2122

Local Government
Wells, Chair
Brown
Waldstein

SENATE FILE 2126

Transportation
Drake, Chair
Nystrom
Jensen

SENATE FILE 2135

Commerce
Gallagher, Chair
Bruner
Tieden

SENATE FILE 2141

Judiciary
Mann, Chair
Horn
Gentleman

SENATE FILE 2144

Judiciary
Mann, Chair
Horn
Gentleman

HOUSE FILE 169

Local Government
C. Miller, Chair
Wells
Goodwin

HOUSE FILE 598

Judiciary
Mann, Chair
Holt
Horn

HOUSE FILE 2006

Human Resources
Mann, Chair
Horn
Ritsema

SSB 2135

Education
Ritsema, Chair
Horn
Wells

SENATE FILE 2128

Education
Brown, Chair
Gratias
Colton

SENATE FILE 2136

Commerce
Holden, Chair
Palmer
Deluhery
Jensen
Kinley

SENATE FILE 2143

Judiciary
Mann, Chair
Horn
Gentleman

SENATE FILE 2145

Judiciary
Mann, Chair
Horn
Gentleman

HOUSE FILE 595

Judiciary
Mann, Chair
Goodwin
Horn

HOUSE FILE 601

Judiciary
Mann, Chair
Holt
Horn

HOUSE FILE 2110

Human Resources
Gentleman, Chair
Gratias
Hall

SSB 2136

Education
Anderson, Chair
Wells
Taylor

SSB 2137

Education
Anderson, Chair
Gratias
Horn

SSB 2139

State Government
Nystrom, Chair
Gettings
Dieleman

SSB 2141

Judiciary
Ritsema, Chair
Coleman
Dieleman

SSB 2143

State Government
Carr, Chair
Slater
Bruner
Nystrom
Drake

SSB 2146

Agriculture
Priebe, Chair
Husak
Hester

SSB 2148

Commerce
Palmer, Chair
Bruner
Jensen

SSB 2150

Agriculture
Hester, Chair
Taylor
Van Gilt

SSB 2138

State Government
Carr, Chair
Slater
Briles

SSB 2140

State Government
Slater, Chair
Drake
Welsh

SSB 2142

Small Business &
Economic Development
A. Miller, Chair
Hutchins
Hulse

SSB 2145

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2147

Commerce
Palmer, Chair
Bruner
Jensen

SSB 2149

Small Business &
Economic Development
Hutchins, Chair
Doyle
Gratias

SSB 2152

Judiciary
Mann, Chair
Doyle
Gentleman

SSB 2153

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2155

Agriculture
Gallagher, Chair
Husak
Hester

SSB 2157

Commerce
Palmer, Chair
Gallagher
Holden

LSB 3925S 70

Transportation
Hall, Chair
Jensen
Welsh

LSB 4019S 70

Transportation
Priebe, Chair
Hall
Nystrom

SSB 2154

Judiciary
Gentleman, Chair
Small
Ritsema

SSB 2156

Commerce
Holden, Chair
Palmer
Deluhery
Jensen
Kinley

LSB 3886S 70

Transportation
Coleman, Chair
A. Miller
Drake

LSB 3952S 70

Transportation
Nystrom, Chair
Jensen
Lind

**FURTHER
REPORT OF COMMITTEE MEETING**

TRANSPORTATION*

*A previous report of this meeting was recorded on pages 345-346 of the Senate Journal.

Final Bill Action: SENATE FILE 2161(SSB 2081), a bill for an act to nullify an administrative rule of the department of transportation establishing certain equipment standards on implements of husbandry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Nystrom, Priebe and Welsh. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 9, 1984, the Governor approved and transmitted to the Secretary of the State the following bill:

S.F. 2045—To increase the membership of the Tax Study Committee from nine to eleven members.

STUDY BILLS RECEIVED

S.S.B. 2158 Judiciary

Providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty.

S.S.B. 2159 Human Resources

Relating to the administration of mental health and mental retardation programs.

S.S.B. 2160 Human Resources

Revising Iowa's aid to dependent children law to conform to federal law and the practices of the department of human services.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the names of the following nominees be removed from the "En Bloc Confirmation Calendar" and be placed on the "Individual Confirmation Calendar".

STATE RACING COMMISSION

Lavonne Mydland

L.C. Pike

Dr. Sally Brown Prickett

Steve Sovern

Lawrence F. Scalise

WM. W. (BILL) DIELEMAN

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2152	State Government
S. F.	2156	Ways and Means
S. F.	2157	Appropriations
S. F.	2158	State Government
S. F.	2162	Labor and Industrial Relations
S. F.	2163	Judiciary
S. F.	2164	State Government
S. C. R.	105	Labor and Industrial Relations
H. F.	257	State Government
H. F.	595	Judiciary
H. F.	601	Judiciary
H. F.	2031	Labor and Industrial Relations
H. F.	2068	Commerce
H. F.	2124	Judiciary
H. F.	2170	Human Resources
H. F.	2212	Transportation

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH**

Convened: February 8, 1984, 9:47 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Hal Farrier, Director, Iowa Department of Corrections, explained the Five Year Plan, FY 1985-FY 1989, dated December 1983.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 8, 1984, 9:45 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Hutchins and Nystrom.

Members Absent: Lind, Ranking Member (excused.)

Other Committee Business: Hearing on the Board of Regents budget.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 8, 1984, 9:45 a.m.

Members Present: Husak, Chair; Colton, Vice Chair; Readinger and Rife.

Members Absent: A. Miller (excused.)

Other Committee Business: Presentation of the budget requests for the Division of Health Facilities and the Division of Personal and Family Health.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 8, 1984, 9:38 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member; Rodgers and Jensen.

Members Absent: none.

Other Committee Business: Overview by the Insurance Department.

Adjourned: 10:18 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 8, 1984, 10:50 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: Discussed department studies.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 8, 1984, 9:55 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair and C. Miller.

Members Absent: Schwengels, Ranking Member (excused) and Ritsema.

Other Committee Business: Budget presentations by the following: Golda Beals, Acting Executive Secretary, Executive Council; David Oman, Governor's office; Nicki Stanke, Regional Library Commission; and Claudya Muller, State Library Commission.

Adjourned: 11:46 a.m.

EDUCATION

Convened: February 7, 1984, 2:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2167 (SSB 2132), a bill for an act to repeal the requirement that a meeting be called upon request by the area education agency board or a contiguous school district concerning a proposal by a school district board to issue general obligation bonds for construction or renovation of a school building.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Wells and Taylor. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2168 (SSB 2056), a bill for an act relating to programs for returning dropouts and dropout prevention by a local school district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema and Wells. Nays, 1: Taylor. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned SSBs 2127 and 2047 to subcommittees.

Adjourned: 3:30 p.m.

ENERGY

Convened: February 8, 1984, 1:30 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Hultman, Hulse, Tieden and Van Gilst.

Members Absent: Brown, Bruner and C. Miller.

Other Committee Business: Dick Vohs and Dennis Guffey of the Energy Policy Council discussed the council's legislative priorities for 1984; also discussed problems with pollution limits on Iowa Coal with the U.S. Environmental Protection Agency.

Adjourned: 1:57 p.m.

HUMAN RESOURCES

Convened: February 8, 1984, 2:30 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Gratiyas, Hall, Horn, Mann, Ristema, Slater and Soorholtz.

Members Absent: Coleman.

Other Committee Business: Approved SSBs 2079 and 2130 and ordered redrafted as committee bills; assigned bills to subcommittees.

Adjourned: 2:40 p.m.

JUDICIARY

Convened: February 8, 1984, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; amended and approved SSB 146 and ordered redrafted for final approval as a committee bill; Tom Ruxlow and Wm. Brosnahan of the DCI made a presentation.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: February 9, 1984, 3:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member and Schwengels (both excused.)

Final Bill Action: SENATE FILE 2046, a bill for an act relating to the use of the Bankhead-Jones Farm Tenant Act trust funds administered by the family farm development authority.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Schwengels and Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2165 (SSB 2046), a bill for an act to provide for the development of a proposal to reduce upper-level management positions in certain state agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 323, a bill for an act relating to sex discrimination in retirement programs.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Schwengels and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Discussed Senate File 2106 and deferred action.

Adjourned: 3:55 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joseph Spearing, M.D., Harlan, Iowa.

PRESENTATION OF VISITORS

On February 8, 1984 the following visitors were present in the Senate gallery:

Eleven members of the Webelos Den-Pack 216, Des Moines, Iowa, accompanied by Don McAndrews, Leader. Senator Palmer.

AMENDMENTS FILED

S—5101	S. F.	2130	Ray Taylor Edgar H. Holden
S—5102	S. F.	2040	C.W. Bill Hutchins
S—5103	S. F.	2063	Edgar H. Holden
S—5104	S. F.	2130	Arthur L. Grattias
S—5105	S. F.	2063	Edgar H. Holden Charles Bruner

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:30 p.m., until 10:00 a.m., Monday, February 13, 1984.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 13, 1984

The Senate met in regular session at 10:21 a.m., President Anderson presiding.

Prayer was offered by the Reverend Herbert Schiller, pastor of the First Lutheran Church, Manchester, Iowa.

The Journal of Thursday, February 9, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gettings for the morning session on request of Senator Junkins and Senators Schwengels and Lind for the week 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 February 7, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 266, a bill for an act to define regional transit systems and to include regional systems which receive state or federal funds within the definition of Iowa urban transit systems for the purpose of obtaining motor fuel and special fuel tax exemptions.

This bill was read first time and **passed on file**.

House File 2019, a bill for an act to protect state employees from personnel actions as reprisals for providing information to legislators or disclosing waste, mismanagement, or violations of law, and subjecting violators to a penalty.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 2170, by Committee on Local Government, a bill for an act to provide temporary funding for the brucellosis and tuberculosis eradication fund.

Read first time and placed on calendar.

Senate File 2171, by Readinger, a bill for an act relating to reciprocity of hunting and fishing licenses and license fees.

Read first time and passed on file.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 103, by Committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

Read first time and placed on calendar.

SENATE RESOLUTION 104

By: Husak, Priebe, Wells, Gallagher, Kinley, Rodgers, Small,
Miller of Des Moines, Holden, Tieden, Drake and Doyle

- 1 A Senate Resolution paying tribute to former Representative
- 2 Clair Strand.
- 3 WHEREAS, Clair Strand served in the House of
- 4 Representatives during the Sixty-second, Sixty-third,
- 5 and Sixty-fourth General Assemblies; and
- 6 WHEREAS, Clair Strand died on February 8, 1984,
- 7 and is well remembered by Senators who served in the
- 8 House of Representatives with him, all of whom are
- 9 sponsors of this resolution; and
- 10 WHEREAS, Clair Strand's ability as a legislator
- 11 and the quiet and careful manner in which he carried
- 12 out his legislative duties earned him the respect
- 13 of all members of the General Assembly; NOW THEREFORE,
- 14 BE IT RESOLVED BY THE SENATE, That the Senate pay
- 15 tribute to the memory of former Representative Clair
- 16 Strand and extend sympathy to the family of Clair
- 17 Strand; and
- 18 BE IT FURTHER RESOLVED, That copies of this
- 19 resolution be forwarded to the family of Clair Strand.

Read first time and referred to the committee on **Rules and Administration**.

(The text of Senate Resolution 104 printed in the Journal pursuant to Senate Rule 30.)

BILLS REFERRED TO COMMITTEE

President Anderson announced that **House File 446** and **Senate File 2046** were referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

SPECIAL GUEST

Senator Van Gilst and former Governor Robert D. Ray, Chair of the Iowa Easter Seal Drive, appeared in the well of the Senate and presented Joey Wagner, 10, from Ottumwa, Iowa, the 1984 Easter Seal Ambassador.

Joey, who was accompanied by her mother, Marla; sister, Wendy; and great-grandmother, is a fourth grader and has attended Camp Sunnyside in the summer months.

Joey is afflicted with Spina Bifida and other multiple disabilities and uses a wheelchair, although she can walk with long leg braces and a walker. She has received financial assistance toward the purchase of a wheelchair and has also benefited from the loan of an Easter Seal wheelchair.

In addition to enjoying reading, swimming and looking after little children, Joey is looking forward to participating in the Special Olympics.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Files 2138, 2154 and House File 323.

Senate File 2138

On motion of Senator Mann, Senate File 2138, a bill for an act relating to the time within which to contest wills, file claims, make

spousal elections and take certain other actions with respect to decedents' estates, was taken up for consideration.

Senator Colton took the chair at 10:42 a.m.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2138) the vote was:

Ayes, 43:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Goodwin
Gratias	Hall	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Van Gilst
Waldstein	Wells	Welsh	

Nays, 3:

Deluhery	Gentleman	Hester
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Absent or not voting, 4:

Gettings	Lind	Schwengels	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 2154

On motion of Senator Dieleman, Senate File 2154, a bill for an act to extend the sunset provision on community action agencies to July 1, 1986, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2154) the vote was:

Ayes, 43:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Soorholtz	Taylor	Tieden	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Holden

Absent or not voting, 6:

Gettings	Lind	Palmer	Schwengels
Small	Vande Hoef		

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

House File 323

On motion of Senator Carr, House File 323, a bill for an act relating to sex discrimination in retirement programs, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 323) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann

Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gettings	Lind	Schwengels	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.

President Anderson took the chair at 11:12 a.m.

Senator Junkins asked and received unanimous consent to take up for consideration Senate Files 2153 and 2155.

Senate File 2153

On motion of Senator Waldstein, Senate File 2153, a bill for an act relating to drainage district expenses and assessments, was taken up for consideration.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2153) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gettings	Hultman	Lind	Schwengels
Vande Hoef			

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

Senate File 2155

On motion of Senator Dieleman, Senate File 2155, a bill for an act relating to internal expense reporting and payroll procedures in the office of the auditor of state, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2155) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gettings	Lind	Schwengels	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.

INTRODUCTION OF BILL

Senate File 2172, by Holt, a bill for an act relating to the creation of an office of volunteerism.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:30 a.m., until 4:00 p.m.

AFTERNOON SESSION

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

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, on February 13, 1984, insisted on its amendment to the Senate amendment to House File 123, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire fighters, persons providing emergency medical services, and penal and correctional facility staff, and providing penalties, and that the members of the Conference Committee on the part of the House are: The Representative from Story, Mr. Rosenberg, Chair; the Representative from Clayton, Mr. Halvorson, the Representative from Jones, Mr. McKean, the Representative from Woodbury, Mr. Miller, and the Representative from Polk, Mr. Renaud.

INTRODUCTION OF BILLS

Senate File 2173, by Van Gilst, a bill for an act relating to appeals of awards by compensation commissions in condemnation proceedings.

Read first time and passed on file.

Senate File 2174, by Committee on Education, a bill for an act to require the state board of regents to inform the student government organizations at its institutions of higher learning about proposed tuition and fee increases.

Read first time and placed on calendar.

Senate File 2175, by Committee on Human Resources, a bill for an act relating to dispensing of generically equivalent drugs.

Read first time and placed on calendar.

Senate File 2176, by Committee on Human Resources, a bill for an act eliminating the requirement that a facility licensed by the department of substance abuse providing child foster care be licensed by the department of human services.

Read first time and placed on calendar.

Senate File 2177, by Committee on Education, a bill for an act to require that school districts offer kindergarten programs.

Read first time and placed on calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon session on request of Senator Hultman.

QUORUM CALL

Senator Junkins 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 (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Files 2159, 2160, 2167 and 2168.

Senate File 2159

On motion of Senator Anderson, Senate File 2159, a bill for an act to allow limited child modeling under the child labor laws, was taken up for consideration.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2159) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Lind	Nystrom	Schwengels	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 2160

On motion of Senator Wells, Senate File 2160, a bill for an act to provide a preference for residents in awarding of public contracts in certain situations, was taken up for consideration.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2160) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Lind

Nystrom

Rife

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 2160 passed the Senate on February 13, 1984.

CALVIN O. HULTMAN

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2167

On motion of Senator Gratias, Senate File 2167, a bill for an act to repeal the requirement that a meeting be called upon request by the area education agency board or a contiguous school district concerning a proposal by a school district board to issue general obligation bonds for construction or renovation of a school building, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2167) the vote was:

Ayes, 47:

Anderson
Carr
Dieleman
Gentleman
Hall
Horn
Hutchins
Mann
Priebe
Rodgers

Briles
Coleman
Doyle
Gettings
Hester
Hulse
Jensen
Miller, A.V.
Readinger
Slater

Brown
Colton
Drake
Goodwin
Holden
Hultman
Junkins
Miller, C.P.
Rife
Small

Bruner
Deluhery
Gallagher
Gratias
Holt
Husak
Kinley
Palmer
Ritsema
Soorholtz

Taylor
Waldstein

Tieden
Wells

Vande Hoef
Welsh

Van Gilst

Nays, none.

Absent or not voting, 3:

Lind

Nystrom

Schwengels

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

Senate File 2168

On motion of Senator Anderson, Senate File 2168, a bill for an act relating to programs for returning dropouts and dropout prevention by a local school district, was taken up for consideration.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2168) the vote was:

Ayes, 46:

Anderson
Carr
Dieleman
Gentleman
Hall
Horn
Hutchins
Mann
Priebe
Slater
Tieden
Wells

Briles
Coleman
Doyle
Gettings
Heater
Hulse
Jensen
Miller, A.V.
Readinger
Small
Vande Hoef
Welsh

Brown
Colton
Drake
Goodwin
Holden
Hultman
Junkins
Miller, C.P.
Rife
Soorholtz
Van Gilst

Bruner
Deluhery
Gallagher
Gratias
Holt
Husak
Kinley
Palmer
Rodgers
Taylor
Waldstein

Nays, 1:

Ritserna

Absent or not voting, 3:

Lind

Nystrom

Schwengels

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

APPOINTMENTS TO BOARDS AND COMMISSIONS (En Bloc Confirmation Calendar)

Senator Husak asked and received unanimous consent to suspend Senate Rule 60 for the purpose of excusing Charles E. Gifford from introduction before the Senate.

In accordance with Senate Rule 60, Senator Junkins called up the following eligible appointees listed on the En Bloc Confirmation Calendar:

Iowa Family Farm Development Authority

Eric W. Dee, committee recommendation found on page 343 of the Senate Journal.

State Board of Regents

Timothy D. Neville, committee recommendation found on page 327 of the Senate Journal.

Commission for the Blind

Russell H. Watt, committee recommendation found on page 343 of the Senate Journal.

Small Business Advisory Council

Darlene J. Coomes, committee recommendation found on pages 246-247 of the Senate Journal.

Committee recommendations found on page 278 of the Senate Journal:

Joan B. Poe
Gloria M. Thomas

Iowa High Technology Council

Charles E. Gifford, committee recommendation found on page 246 of the Senate Journal.

Tax Study Committee

Committee recommendations found on page 290 of the Senate Journal:

• Thomas A. Loudon
 Roger J. Shaff

Jobs Commission

Beatrice A. Huston, committee recommendation found on page 278 of the Senate Journal.

Senator Junkins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Lind	Nystrom	Schwengels	Slater
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The Chair declared the appointees confirmed.

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 February 9, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2218, a bill for an act relating to transportation funding by increasing the fees for motor vehicle licenses and by increasing the rate of tax on motor fuel, gasohol, and special fuel and including an appropriation.

This bill was read first time and referred to the committee on **Ways and Means** under Senate Rule 38.

House File 2220, a bill for an act providing for the investment of idle public funds.

This bill was read first time and **passed on file**.

APPENDIX

S.S.B. 2161 Judiciary

Relating to mortgage redemption periods.

S.S.B. 2162 Judiciary

Relating to the death of a firefighter during an arson and providing a penalty.

S.S.B. 2163 Judiciary

Relating to escape by misdemeanants from custody and the use of deadly force, and providing a penalty.

S.S.B. 2164 Judiciary

Providing for the surrender and disposition of earning of persons committed to residential treatment centers operated by judicial district departments of correctional services.

S.S.B. 2165 Judiciary

Limiting the state's liability for inspections, limiting the state's duty to correct known and obvious dangers limiting damage awards when losses are otherwise compensated, and limiting total state liability.

S.S.B. 2166 Judiciary

Relating to computer crime and providing penalties.

S.S.B. 2167 Judiciary

Relating to the issuance of arrest warrants for work release violators or escapees.

S.S.B. 2168 Judiciary

Relating to the establishment of mandatory supervised release for inmates and providing penalties.

S.S.B. 2169 Judiciary

Relating to the crime victim reparation program.

S.S.B. 2170 Judiciary

Authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data.

S.S.B. 2171 Judiciary

Defining false use of a financial instrument and providing penalties.

S.S.B. 2172 Judiciary

Relating to the interest of an officer or employee in the purchase of goods and services by a political subdivision.

S.S.B. 2173 Judiciary

Relating to the penalty for violation of the Iowa competition law and providing for a prohibition from bidding on governmental contracts by persons convicted of violations of the Iowa competition law.

S.S.B. 2174 Local Government

Relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city.

S.S.B. 2175 Local Government

Relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws.

S.S.B. 2176 Education

Relating to lease-purchase agreements made by an area education agency.

S.S.B. 2177 Education

Relating to the use of the voted tax fund within a merged area.

S.S.B. 2178 Ways and Means

Relating to the penalties for certain taxes including cigarette and tobacco taxes, state motor vehicle fuel taxes, freight line and equipment car mileage taxes, income taxes, withholding taxes, franchise taxes, inheritance and estate taxes, sales and use tax taxes, and generation skipping transfer taxes.

S.S.B. 2179 Ways and Means

Relating to income tax checkoffs for the state capitol restoration fund, state historical building fund and fish and game protection fund.

S.S.B. 2180 Ways and Means

Relating to the interest and penalty on delinquent property taxes.

S.S.B. 2181 Ways and Means

Relating to taxation by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes, making coordinating amendments, and making the Act retroactive.

S.S.B. 2182 Ways and Means

Relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978 for personal and corporate and franchise tax purposes and making the Act retroactive.

S.S.B. 2183 Ways and Means

Relating to the rate of tax on motor fuel, gasohol, and special fuel.

S.S.B. 2184 Ways and Means

To allow an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence and making the Act retroactive.

S.S.B. 2185 Ways and Means

To amend the Iowa pari-mutuel wagering Act.

S.S.B. 2186 Education

Exempting school buses which are new or used cars from being required to stop at certain railroad crossings.

S.S.B. 2187 Ways and Means

To impose an income tax surtax on individual and corporate income taxes due and payable in the first tax year beginning after December 31, 1983, subject to penalties provided by law, and making an Act retroactive.

S.S.B. 2188 Ways and Means

Subjecting the gross receipts from the sales of candy and certain beverages to the state sales, services, and use tax.

S.S.B. 2189 Education

Relating to election laws by providing for biennial school elections and certain technical corrections to the voting laws and providing a January 1, 1986 effective date.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2166	Agriculture
S. F.	2169	Transportation

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on the afternoon of February 8, 1984, and February 9, 1984, attending a leadership meeting in Washington, D.C.

Had I been present, I would have voted "aye" on Senate Files 159, 345, 2002, 2040, 2063, 2067, 2091, 2119, 2124, 2125, 2127, 2129, 2130, 2132 and 2137; House Files 48 and 2101. I would have voted "nay" on amendments 5101 and 5104A.

CHARLES P. MILLER

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 9, 1984, 9:45 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman; Hulse and Mann.

Members Absent: none.

Other Committee Business: Reports given by: Calvin Auger, Warden of Anamosa Mens Reformatory and Ray Cornell, Prison Ombudsman; Richard George, Executive Secretary of the Parole Board, and Jackie Day, Chairman, presented budget; presented budget for Anamosa and Luster Heights.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 9, 1984, 9:44 a.m.

Members Present: Husak, Chair (arrived 11:09 a.m.); Colton, Vice Chair; Readinger, Ranking Member and Rife.

Members Absent: A. Miller.

Other Committee Business: A presentation was made for the budget request for the Specialized Child Health Services division.

Adjourned: 11:54 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 9, 1984, 9:40 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair and Vande Hoef, Ranking Member.

Members Absent: Hester (excused) and Priebe.

Other Committee Business: Presentation by Dennis Guffey, Deputy Director of the Iowa Energy Policy Council.

Adjourned: 10:18 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 9, 1984, 9:40 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Anderson and Taylor.

Members Absent: none.

Other Committee Business: Discussed department studies.

Adjourned: 11:40 a.m.

COMMERCE

Convened: February 9, 1984, 8:02 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Gallagher, Holden, Nystrom and Tieden.

Members Absent: Deluhery and Palmer (both excused.)

Other Committee Business: Assigned bills and study bills to subcommittees.

Adjourned: 8:05 a.m.

EDUCATION

Convened: February 8, 1984, 3:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Wells and Taylor.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2174 (SSB 2127), a bill for an act to require the state board of regents to inform the student government organizations at its institutions of higher learning about proposed tuition and fee increases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Wells and Taylor. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2177 (SSB 2040), a bill for an act to require that school districts offer kindergarten programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Anderson, Gratiass, Colton, Gallagher, Horn, Ritsema, Wells, and Taylor. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:05 p.m.

HUMAN RESOURCES

Convened: February 13, 1984, 2:40 p.m.

Members Present: Carr, Chair; Gentleman, Ranking Member; Briles, Gratiass, Hall, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: C. Miller, Vice Chair and Coleman (both excused.)

Final Bill Action: SENATE FILE 2175 (SSB 2079), a bill for an act relating to dispensing of generically equivalent drugs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Gentleman, Briles, Gratiass, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 2: C. Miller and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2176 (SSB 2130), a bill for an act eliminating the requirement that a facility licensed by the department of substance abuse providing child foster care be licensed by the department of human services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Gentleman, Briles, Gratiass, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 2: C. Miller and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; Dave Byers, Assistant Director of the Arizona Supreme Court, spoke on Senate File 2074.

Adjourned: 3:00 p.m.

JUDICIARY

Convened: February 13, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Deluhery and Drake.

Final Bill Action: HOUSE FILE 2229, a bill for an act modifying the definitions and schedules of controlled substances and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved SSB 2070 and ordered redrafted for final approval as a committee bill; assigned bills to subcommittees.

Adjourned: 3:57 p.m.

LOCAL GOVERNMENT

Convened: February 9, 1984, 8:03 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member (arrived 8:05 a.m.); Brown, Colton (arrived 8:04 a.m.), Goodwin, Mann (arrived 8:09 a.m.), Vande Hoef and Waldstein.

Members Absent: C. Miller (excused.)

Final Bill Action: SENATE FILE 2170 (SSB 2050), a bill for an act to provide temporary funding for the brucellosis and tuberculosis eradication fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, Wells, Briles, Brown, Colton, Goodwin, Mann, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: C. Miller (excused.)

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2107 ordered redrafted as amended for final approval as a committee bill.

Adjourned: 8:24 a.m.

RULES AND ADMINISTRATION

Convened: February 9, 1984, 5:27 p.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Anderson, Kinley and Hulse.

Members Absent: none.

Final Bill Action: SENATE RESOLUTION 103, a resolution relating to gubernatorial appointments requiring Senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Junkins, Hutchins, Hultman, Anderson, Kinley and Hulse. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2059, a bill for an act relating to the authority of a standing committee of the general assembly to call upon a state agency or political subdivision for assistance and information.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Junkins, Hutchins, Hultman, Anderson, Kinley and Hulse. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 5:30 p.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 9, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratias, Hulse, Hutchins, A. Miller, Readinger and Rodgers.

Members Absent: Mann and Lind (excused.)

Other Committee Business: Assigned bills to subcommittees; SSB 2149 ordered redrafted as amended for final approval as a committee bill; presentation by Ed Campbell and Bob Nicholl of Des Moines.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: February 13, 1984, 1:30 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown, Carr (arrived 1:55 p.m.), Deluhery (arrived 2:15 p.m.), Dieleman (arrived 1:33 p.m.), Gratias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz and Van Gilst.

Members Absent: none.

Final Bill Action: SENATE FILE 2007, a bill for an act authorizing the board of supervisors to waive the payment of penalty and interest on delinquent property taxes for reasons of severe economic conditions.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Palmer, Husak, Brown, Carr, Deluhery, Dieleman, Hester, Holt and Van Gilst. Nays, 6: Holden, Gratias, Soorholtz, Readinger, Rodgers and Small.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2073, a bill for an act establishing a capitol restoration fund, providing for an income tax checkoff for the capitol restoration fund and appropriating the moneys in the fund.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Husak, Brown, Dieleman, Gratias, Holt, Soorholtz, Readinger, Rodgers, Small and Van Gilst. Nays, 2: Holden and Hester. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Senate File 2039 was discussed by Gene Eich from the Revenue Department and the bill was deferred by the committee.

Adjourned: 2:35 p.m.

PRESENTATION OF VISITORS

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

Twenty-nine students from Mitchellville Elementary School, Mitchellville, Iowa, accompanied by Mrs. Cochran. Senator Dieleman.

PETITION

The following petition was presented and placed on file by:

Senator Kinley from twenty-three residents of Iowa favoring legislation of a state lottery.

AMENDMENTS FILED

S-5106	S. F.	2078	James D. Wells
S-5107	H. F.	406	Tom Slater

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Tuesday, February 14, 1984.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 14, 1984

The Senate met in regular session at 9:08 a.m., Senator Gettings presiding.

Prayer was offered by the Reverend John W. Hemann, pastor of the St. Patrick's Catholic Church, Cedar Rapids, Iowa.

The Journal of Monday, February 13, 1984, was approved.

INTRODUCTION OF BILLS

Senate File 2178, by Hutchins and Schwengels, a bill for an act to exempt from the individual income tax the income of a taxpayer who is a member of the armed forces of the United States who is killed in a hostile action for the year in which the death of the taxpayer occurs and making the Act retroactive.

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

Senate File 2179, by Small, a bill for an act reducing under certain circumstances, the penalty for failing to return a license or registration.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 9:14 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Anderson 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 February 3, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 190, a bill for an act relating to leaves of absence for persons who are elected to municipal, county, state, or federal offices and providing penalties (S—5111).

ALSO: That the House has on February 9, 1984, passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 2002, a joint resolution proposing the formation of an organization for the purpose of initiating restoration projects for the Iowa state capitol.

This resolution was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2180, by Committee on Education, a bill for an act relating to the publication of warrants and compensation by a school district,

Read first time and placed on calendar.

Senate File 2181, by Committee on Local Government, a bill for an act relating to reimbursement of law enforcement officer training costs incurred by cities.

Read first time and placed on calendar.

Senate File 2182, by Committee on Small Business & Economic Development, a bill for an act relating to the membership of the Iowa development commission.

Read first time and placed on calendar.

Senate File 2183, by Committee on Judiciary, a bill for an act relating to sexual abuse committed by engaging in a sex act against the will of the other participant.

Read first time and placed on calendar.

Senate File 2184, by Committee on Education, a bill for an act relating to the qualifications of the superintendent of public instruction.

Read first time and placed on calendar.

QUORUM CALL

Senator Deluhery requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dieleman and Anderson for the remainder of the day on request of Senator Junkins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 406.

House File 406

On motion of Senator Van Gilst, House File 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Van Gilst 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—3410 to House File 406 was adopted by the Senate on April 20, 1983.

The motion prevailed by a voice vote and amendment S—3410 by the Committee on Natural Resources to page 1 of the bill was taken up for reconsideration.

Senator Van Gilst asked and received unanimous consent that action on amendment S—3410 be deferred.

Senator Van Gilst 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—3432 to House File 406 was adopted by the Senate on April 20, 1983.

The motion prevailed by a voice vote and amendment S—3432 by Senator Van Gilst to page 1 of the bill was taken up for reconsideration.

Senator Van Gilst asked and received unanimous consent that action on amendment S—3432 be deferred.

Senator Hall 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—3566 as amended to House File 406 was adopted by the Senate on April 20, 1983.

The motion prevailed by a voice vote and amendment S—3566 as amended by Senator Hall to pages 1, 2, 4 and 5 of the bill was taken up for reconsideration.

Senator Hall asked and received unanimous consent that action on amendment S—3566 as amended be deferred.

Senator Rife 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—3574A to House File 406 was adopted by the Senate on April 20, 1983.

The motion prevailed by a voice vote and division S—3574A by Senator Rife to page 3 of the bill was taken up for reconsideration.

Senator Rife asked and received unanimous consent that action on division S—3574A be deferred.

Senator Rife 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—3574B to House File 406 was adopted by the Senate on April 20, 1984.

The motion prevailed by a voice vote and division S—3574B by Senator Rife to page 3 of the bill was taken up for reconsideration.

Senator Rife asked and received unanimous consent that action on division S—3574B be deferred.

Senator Hall 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—3576 to amendment S—3566 to House File 406 was adopted by the Senate on April 20, 1983.

The motion prevailed by a voice vote and amendment S—3576 to amendment S—3566 by Senator Hall was taken up for reconsideration.

Senator Hall asked and received unanimous consent that action on amendment S—3576 to amendment S—3566 be deferred.

Senator Hultman 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—3572 to House File 406 was adopted by the Senate on April 20, 1983.

The motion prevailed by a voice vote and amendment S—3572 by Senators Hultman, Tieden and Slater to page 3 of the bill was taken up for reconsideration.

Senator Hultman asked and received unanimous consent that action on amendment S—3572 be deferred.

Senator Van Gilst 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—3634 to House File 406 was adopted by the Senate on April 20, 1983.

The motion prevailed by a voice vote and amendment S—3634 by Senator Tieden to page 4 of the bill was taken up for reconsideration.

Senator Van Gilst asked and received unanimous consent that action on amendment S—3634 be deferred.

Senator Miller of Des Moines 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—3635 to House File 406 was adopted by the Senate on April 21, 1983.

The motion prevailed by a voice vote and amendment S—3635 by Senator Miller of Des Moines to page 5 of the bill was taken up for reconsideration.

Senator Miller of Des Moines asked and received unanimous consent that action on amendment S—3635 be deferred.

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—3629 to House File 406 was adopted by the Senate on April 21, 1983.

The motion prevailed by a voice vote and amendment S—3629 by Senator Priebe to pages 1 and 2 of the bill was taken up for reconsideration.

Senator Priebe asked and received unanimous consent that action on amendment S—3629 be deferred.

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—3639 to House File 406 was adopted by the Senate on April 21, 1983.

The motion prevailed by a voice vote and amendment S—3639 Senator Priebe to page 5 of the bill was taken up for reconsideration.

Senator Priebe asked and received unanimous consent that action on amendment S—3639 be deferred.

Senator Miller of Des Moines 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—3636 to House File 406 was adopted by the Senate on April 21, 1983.

The motion prevailed by a voice vote and amendment S—3636 by Senator Miller of Des Moines to page 3 of the bill was taken up for reconsideration.

Senator Miller of Des Moines asked and received unanimous consent that action on amendment S—3636 be deferred.

Senator Van Gilst 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—3643A to House File 406 was adopted by the Senate on April 22, 1983.

The motion prevailed by a voice vote and division S—3643A by Senators Rodgers and Van Gilst to pages 4 and 5 of the bill was taken up for reconsideration.

Senator Van Gilst asked and received unanimous consent that action on division S—3643A be deferred.

Senator Van Gilst 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—3643B to House File 406 was adopted by the Senate on April 22, 1983.

The motion prevailed by a voice vote and division S—3643B by Senators Rodgers and Van Gilst to pages 4 and 5 of the bill was taken up for reconsideration.

Senator Van Gilst asked and received unanimous consent that action on division S—3643B be deferred.

Senator Van Gilst 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—3643C to House File 406 was adopted by the Senate on April 22, 1983.

The motion prevailed by a voice vote and division S—3643C by Senators Rodgers and Van Gilst to pages 4 and 5 of the bill was taken up for reconsideration.

Senator Van Gilst asked and received unanimous consent that action on division S—3643C be deferred.

Senator Taylor 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—3654 to House File 406 was adopted by the Senate on April 22, 1983.

The motion prevailed by a voice vote and amendment S—3654 by Senator Taylor to page 5 of the bill was taken up for reconsideration.

Senator Taylor asked and received unanimous consent that action on amendment S—3654 be deferred.

Senator Hutchins 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—3656 to House File 406 was adopted by the Senate on April 22, 1983.

The motion prevailed by a voice vote and amendment S—3656 by Senators Hutchins and Schwengels to page 5 of the bill was taken up for reconsideration.

Senator Hutchins asked and received unanimous consent that action on amendment S—3656 be deferred.

Senator Van Gilst offered amendment S—5100 filed by the committee on Natural Resources on February 8, 1984, to strike everything after the enacting clause of the bill.

Senator Junkins asked and received unanimous consent that further action on amendment S—5100 and House File 406 be deferred.

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 February 10, 1984, passed the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 102, a resolution designating February 11, 1984, as Freedom Fest 1984 celebrating Iowans' freedom from dependency on alcohol and other drugs.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5105 to S—5082 to Senate File 2063, the following technical correction was made:

1. Page 1, line 6, the second word "the" was deleted.

K. MARIE THAYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2171	Natural Resources
S. F.	2172	State Government
S. F.	2173	Judiciary
H. F.	266	Transportation
H. F.	2019	Labor and Industrial Relations
H. F.	2220	Local Government

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Monday morning, February 13, 1984.

Had I been present, I would have voted "aye" on Senate Files 2138, 2153, 2154, 2155 and House File 323.

DON E. GETTINGS

CERTIFICATE OF RECOGNITION

MR. PRESIDENT: The Secretary of Senate respectfully reports that certificate of recognition has been issued as follows:

The staff of the Lutheran School of Nursing, Allen Memorial Hospital, Waterloo, Iowa — In recognition of the 1983 graduates receiving the highest average scores on the Iowa Registered Nurses Licensure Examination. Senator Anderson (February 14, 1984.)

**FURTHER
REPORT OF COMMITTEE MEETING**

JUDICIARY*

*A previous report of this meeting was recorded on page 414 of the Senate Journal.

Final Bill Action: SENATE FILE 2183 (SSB 2070), a bill for an act relating to sexual abuse committed by engaging in a sex act against the will of the other participant.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

S.S.B. 2190 Commerce

To repeal the moratorium on the establishment of a state chartered savings and loan association as a stock association.

S.S.B. 2191 State Government

Repealing the licensing and regulation of mobile homes and mobile home parks.

S.S.B. 2192 State Government

Allowing a city to redraw precinct lines when adopting a system which provides for election of council members from wards or when changing the number of council members who are elected from wards.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 8, 1984, 3:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2180 (SSB 2064), a bill for an act relating to the publication of warrants and compensation by a school district.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Wells and Taylor. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned SSBs 209, 2144 and 2146 to subcommittees.

Adjourned: 4:05 p.m.

EDUCATION

Convened: February 14, 1984, 2:30 p.m.

Members Present: Brown, Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Anderson, Vice Chair and Lind (both excused.)

Final Bill Action: SENATE FILE 2184 (SSB 2047), a bill for an act relating to the qualifications of the superintendent of public instruction.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 8: Brown, Gratias, Colton, Gallagher, Horn, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 2: Anderson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:40 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 13, 1984, 1:30 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair; Hulse, Ranking Member; Colton, Hultman, Hutchins, Jensen, Wells and Gettings.

Members Absent: Vande Hoef (excused.)

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:35 p.m.

LOCAL GOVERNMENT

Convened: February 14, 1984, 8:30 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown, Colton, Goodwin, Mann, C. Miller, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: SENATE FILE 2122, a bill for an act relating to county libraries.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Wells, Briles, Brown, Colton, Goodwin, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2181 (SSB 2107), a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Wells, Briles, Brown, Colton, Goodwin, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 169, a bill for an act establishing a time limit for completion of audits of local government.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5109.

Final Vote: Ayes, 10: A. Miller, Wells, Briles, Brown, Colton, Goodwin, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:55 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 14, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Gratiyas, Hulse, Readinger and Rodgers.

Members Absent: Anderson and Lind (both excused), Hutchins, Mann and A. Miller.

Final Bill Action: SENATE FILE 2182 (SSB 2149), a bill for an act relating to the membership of the Iowa development commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Husak, Doyle, Taylor, Readinger, Rodgers, Gratiyas and Hulse. Nays, none. Absent or not voting, 5: Anderson, Lind, Hutchins, Mann and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Presentation by Ed Campbell and Bob Nichols.

Adjourned: 2:05 p.m.

AMENDMENTS FILED

S-5108	H.F.	406	Ray Taylor
S-5109	H.F.	169	Local Government
S-5110	H.F.	406	Charles P. Miller
S-5111	S. F.	190	House Amendment
S-5112	S. F.	2101	Ray Taylor
S-5113	S. F.	2122	James D. Wells
S-5114	H.F.	406	Bass Van Gilst

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Wednesday, February 15, 1984.

JOURNAL OF THE SENATE

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THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 15, 1984

The Senate met in regular session at 9:10 a.m., President Anderson presiding.

Prayer was offered by the Reverend Claude Wood, pastor of the United Church of Christ, Atlantic, Iowa.

The Journal of Tuesday, February 14, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the day on request of Senator Hultman.

INTRODUCTION OF RESOLUTION

Senate Resolution 105, by Committee on Agriculture, a resolution requesting an interim study committee for the study of certain issues relating to drainage.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 2185, by Bruner, a bill for an act relating to the corporate income tax by providing that corporations that are members of a related group of corporations conducting a unitary business shall determine their net business income attributable to the state by allocating and apportioning the entire net business income of the unitary business group including foreign corporations, and by lowering the rate of tax.

Read first time and passed on file.

Senate File 2186, by Gentleman, a bill for an act relating to the jurisdiction of a small claims court to entertain motions after the entry of a judgment.

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

Senate File 2187, by Committee on Agriculture, a bill for an act to establish a meat export technology and policy research center at Iowa state university of science and technology.

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

Senate File 2188, by Committee on Transportation, a bill for an act relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale.

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

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 123** on the part of the Senate: Senators Mann, Chair; Welsh, Doyle, Gentleman and Holt.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hultman asked and received unanimous consent to take up for consideration Senate Resolution 103.

Senate Resolution 103

On motion of Senator Hultman, Senate Resolution 103, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 103, which motion prevailed by a voice vote.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:37 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., Senator Carr 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 February 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2126, a bill for an act relating to the membership of legislative visitation committees.

This bill was read first time and passed on file.

ALSO: That the House has on February 14, 1984, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund.

INTRODUCTION OF BILL

Senate File 2189, by Tieden, a bill for an act relating to bacterial and organoleptic milk standards.

Read first time and passed on file.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

President Anderson took the chair at 4:43 p.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 510.

Senate File 510

On motion of Senator Miller of Cerro Gordo, Senate File 510, a bill for an act relating to liens against crops and livestock to secure payment for fertilizer, feed, seed, petroleum product, and agricultural chemical used in the production of growing crops and livestock and providing for the perfection and enforcement of these liens, and providing for statutory damages, with report of committee recommending approval as amended, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on amendment S—5081 filed by the committee on Agriculture on February 2, 1984, to strike everything after the enacting clause and to the title page of the bill be deferred.

Senator Miller of Cerro Gordo offered amendment S—5122 filed by Senators Miller of Cerro Gordo, et al., from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Miller of Cerro Gordo offered amendment S—5127 filed by him from the floor to page 2 of amendment S—5122 and moved its adoption.

Amendment S—5127 was adopted by a voice vote.

Senator Gentleman offered amendment S—5125 filed by her from the floor to page 4 of amendment S—5122 and moved its adoption.

Amendment S—5125 was adopted by a voice vote.

Senator Ritsema offered amendment S—5126 filed by him from the floor to page 5 of amendment S—5122 and moved its adoption.

Amendment S—5126 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved the adoption of amendment S—5122 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5122 as amended, the Chair ruled the following amendments out of order:

S—3400 filed by Senators Miller of Cerro Gordo, et al., on March 29, 1983, to pages 3 through 5 of the bill.

S—3430 filed by Senators Miller of Cerro Gordo, Husak and Taylor on April 5, 1983, to page 2 of the bill.

S—3436 to S—3400 filed by Senators Miller of Cerro Gordo, Husak and Taylor on April 6, 1983.

S—3438 filed by Senators Taylor, Miller of Cerro Gordo and Husak on April 6, 1983, to page 3 of the bill.

S—5081 by the committee on Agriculture to strike everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 510) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Lind	Mann	Schwengels
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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.

BILL ASSIGNED TO COMMITTEE

President Anderson announced that **House Joint Resolution 2002** was assigned to the committee on **Rules and Administration**.

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2134** was referred to the committee on **Appropriations** under Senate Rule 38.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 14, 1984, 9:50 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Wayne Brookhart reported objectives of the Oakdale Mental Health Facility; Jim Felker gave report on inmate classifications; Paul Grossheim presented budgets for Oakdale and Classification; and Dennis Neller gave report on Mount Pleasant Medium Security.

Adjourned: 12:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 14, 1984, 10:00 a.m.

Members Present: Husak, Chair; Colton, Vice Chair; Readinger, Ranking Member and Rife (arrived 10:43 a.m.).

Members Absent: A. Miller.

Other Committee Business: Department of Substance Abuse presented its budget request.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 14, 1984, 9:45 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member; Rodgers and Jensen.

Members Absent: none.

Other Committee Business: Overview by the Department of Revenue, Secretary of State and Auditor of State.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: February 14, 1984, 9:45 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Taylor and Anderson (excused.)

Members Absent: none.

Other Committee Business: Presentation by various organizations and interested persons on the external foster care review system.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 14, 1984, 9:55 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; C. Miller and Ritsema.

Members Absent: Schwengels, Ranking Member (excused.)

Other Committee Business: Proposed budgets presented by: Justice McGiverin, the Judicial Department, and Serge Garrison, Director of the Legislative Service Bureau.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: February 8, 1984, 2:31 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: SENATE FILE 2187 (SSB 2146), a bill for an act to establish a meat export technology and policy research center at Iowa state university of science and technology.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 105, a resolution requesting an interim study committee for the study of certain issues relating to drainage.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 2:53 p.m.

NATURAL RESOURCES

Convened: February 15, 1984, 8:05 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Doyle, Gettings, Goodwin, Hall and Rife.

Members Absent: Schwengels, Ranking Member; Priebe and Hester (all excused.)

Final Bill Action: SENATE FILE 2134, a bill for an act relating to the control or eradication of the multiflora rose and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Van Gilst, Doyle, Gettings, Goodwin, Hall and Rife. Nays, none. Voting present, 1: Rodgers. Absent or not voting, 3: Schwengels, Priebe and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 602, a bill for an act repealing the requirement for a study to determine the percentage of motor fuel tax collected that derives from motor fuel used in watercraft.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Van Gilst, Rodgers, Doyle, Gettings, Goodwin, Rife and Hall. Nays, none. Absent or not voting, 3: Schwengels, Priebe and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:35 a.m.

STATE GOVERNMENT

Convened: February 14, 1984, 2:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Gettings and Schwengels (both excused.)

Final Bill Action: SENATE FILE 2099, a bill for an act to require competitive bidding procedures for a project for renovation or remodeling of physical facilities used or to be used by the general assembly or legislative agencies under the jurisdiction of the legislative council where the cost of the project is twenty-five thousand dollars or more.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5118.

Final Vote: Ayes, 12: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Drake, C. Miller, Rife, Soorholtz, Welsh and Dieleman. Nays, none. Absent or not voting, 2: Gettings and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:40 p.m.

TRANSPORTATION

Convened: February 14, 1984, 3:35 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Nystrom, Priebe and Welsh.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 347, a bill for an act providing for the issuance of special registration plates to former prisoners of war which contain the letters "POW" followed by three numerals at the regular registration fee.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5115.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2188 (SSB 2082), a bill for an act relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, A. Miller, Doyle, Hall, Jensen, Nystrom, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; consideration of LSB 4019S.

Adjourned: 3:50 p.m.

WAYS AND MEANS

Convened: February 14, 1984, 3:40 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown, Carr, Deluhery (arrived 3:43 p.m.), Grattias, Hester, Holt, Readinger, Rodgers, Small (arrived 3:45 p.m.), Soorholtz and Van Gilst.

Members Absent: Dieleman (excused.)

Other Committee Business: Assigned bills to subcommittees; Steven D. Gold, Director of the State-Local Finance Project of the National Conference of State Legislatures, spoke to the committee on intertax structure, bonding and minimum tax.

Adjourned: 4:30 p.m.

STUDY BILLS RECEIVED**S.S.B. 2193 State Government**

Relating to the election laws by providing a method for challenging nomination petitions, eliminating the requirement for notarization of absentee ballots, allowing the mailing of certain absentee ballots, and making certain technical corrections to the voting laws and providing an effective date.

S.S.B. 2194 State Government

Relating to the control, distribution, taxation, and private sale 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.

COMMUNICATIONS

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

IOWA DEPARTMENT OF TRANSPORTATION

On February 15, 1984, received a copy of the Annual Report of Highway Research and Development in Iowa, pursuant to Section 310.36 of the Code of Iowa.

IOWA DEPARTMENT OF HUMAN SERVICES

On February 15, 1984, received a copy of the Iowa Title XIX Home and Community Based Waiver Request, pursuant to Chapter 201, Section 7 of the Acts of the 70th General Assembly.

On February 15, 1984, received a copy of the Nonlegend Drugs in the Iowa Medicaid Program, pursuant to Chapter 201, Section 5 (1)(d) of the Acts of the 70th General Assembly.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2178	Ways and Means
S. F.	2179	Transportation
S. F.	2185	Ways and Means
S. F.	2186	Judiciary
S. F.	2189	Agriculture

AMENDMENTS FILED

S-5115	S. F.	347	Transportation
S-5116	H.F.	406	Dale L. Tieden
			C.W. Bill Hutchins
S-5117	H.F.	406	Berl E. Priebe
S-5118	S. F.	2099	State Government

S—5119	H.F.	406	Arne Waldstein Dale L. Tieden
S—5120	S. F.	2034	Donald V. Doyle
S—5121	S. F.	2165	Calvin O. Hultman
S—5122	S. F.	510	Alvin V. Miller Ray Taylor Emil J. Husak Jack Rife C.W. Bill Hutchins
S—5123	H.F.	406	David M. Readinger
S—5124	S. F.	2122	John E. Soorholtz
S—5125	S. F.	510	Julia Gentleman
S—5126	S. F.	510	Douglas Ritsema
S—5127	S. F.	510	Alvin V. Miller

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:32 p.m., until 9:00 a.m., Thursday, February 16, 1984.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 16, 1984

The Senate met in regular session at 9:11 a.m., President Anderson presiding.

Prayer was offered by the Reverend Robert Roof, pastor of the Cedar Heights Presbyterian Church, Cedar Falls, Iowa.

The Journal of Wednesday, February 15, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Horn for the remainder of the week 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 February 14, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 580, a bill for an act relating to the authority of licensing boards under the continuing education chapter.

This bill was read first time and **passed on file**.

House File 2071, a bill for an act to provide for the transportation commission to submit the results of the quadrennial need study to the general assembly by January 1 of the year in which the quadrennial need study becomes effective.

This bill was read first time and **passed on file**.

House File 2202, a bill for an act to exempt road workers from the traffic laws.

This bill was read first time and passed on file.

House File 2232, a bill for an act to allow the operation of articulated buses not exceeding sixty-one feet in length on the public streets and highways.

This bill was read first time and passed on file.

House File 2263, a bill for an act to regulate interest rates on life insurance policy loans.

This bill was read first time and passed on file.

ALSO: That the House has on February 14, 1984, passed the following bill in which the concurrence of the House was asked:

Senate File 2050, a bill for an act relating to the election and terms of office of sanitary district trustees.

INTRODUCTION OF BILLS

Senate File 2190, by Coleman, a bill for an act relating to the property taxation of pasture land.

Read first time and passed on file.

Senate File 2191, by Hultman, a bill for an act prohibiting the vacating or closing of a highway under certain circumstances.

Read first time and passed on file.

Senate File 2192, by Welsh, a bill for an act requiring certain telephone utilities to provide billings which can be easily read and interpreted.

Read first time and passed on file.

Senate File 2193, by Mann and Gentleman, a bill for an act relating to the collection, transportation, storage, and disposal of solid waste.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate Resolution 105** was referred from the **Regular Calendar** to the committee on **Rules and Administration**.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate File 510 be immediately messaged to the House.

UNFINISHED BUSINESS'
(Deferred on February 14, 1984)

House File 406

The Senate resumed consideration of House File 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles, and amendment S—5100 by the committee on Natural Resources to strike everything after the enacting clause of the bill, deferred on February 14, 1984.

Senator Taylor offered amendment S—5108 filed by him on February 14, 1984, to page 1 of amendment S—5100 and moved its adoption.

Amendment S—5108 was adopted by a voice vote.

Senator Priebe offered amendment S—5117 filed by him on February 15, 1984, to page 1 of amendment S—5100.

Senator Van Gilst called for a division of amendment S—5117 to amendment S—5100: lines 3 through 7 as division S—5117A; lines 8 and 9 as division S—5117B; lines 10 through 22 as division S—5117C.

Senator Priebe moved the adoption of division S—5117A to amendment S—5100.

A record roll call was requested.

On the question "Shall division S—5117A to amendment S—5100 be adopted?" (H.F. 406) the vote was:

Ayes, 18:

Briles	Coleman	Colton	Dieleman
Doyle	Gratias	Holden	Holt
Hultman	Jensen	Kinley	Priebe
Ritsema	Small	Taylor	Tieden
Waldstein	Wells		

Nays, 26:

Anderson	Brown	Bruner	Carr
Deluhery	Drake	Gallagher	Gentleman
Gettings	Goodwin	Hall	Hester
Hulse	Hutchins	Junkins	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Readinger
Rife	Rodgers	Slater	Soorholtz
Vande Hoef	Van Gilst		

Absent or not voting, 6:

Horn	Husak	Lind	Palmer
Schwengels	Welsh		

Division S—5117A lost.

Senator Priebe moved the adoption of division S—5117B to amendment S—5100 and requested a record roll call.

On the question "Shall division S—5117B to amendment S—5100 be adopted?" (H.F. 406) the vote was:

Ayes, 17:

Briles	Coleman	Colton	Doyle
Gallagher	Gentleman	Gettings	Holden
Holt	Hultman	Hutchins	Jensen
Kinley	Priebe	Taylor	Tieden
Wells			

Nays, 27:

Anderson	Brown	Bruner	Carr
Deluhery	Dieleman	Drake	Goodwin
Gratias	Hall	Hester	Hulse
Junkins	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Vande Hoef	Van Gilst	Waldstein	

Absent or not voting, 6:

Horn	Husak	Lind	Palmer
Schwengels	Welsh		

Division S—5117B lost.

Senator Priebe asked and received unanimous consent that action on division S—5117C to amendment S—5100 be deferred.

Senator Slater offered amendment S—5107 filed by him on February 13, 1984, to page 1 of amendment S—5100 and moved its adoption.

Amendment S—5107 was adopted.

Senator Waldstein offered amendment S—5119 filed by Senators Waldstein and Tieden on February 15, 1984, to pages 1 through 4 of amendment S—5100, moved its adoption and requested a non record roll call.

The ayes were 7, nays 35.

Amendment S—5119 lost.

Senator Tieden offered amendment S—5116 filed by Senators Tieden and Hutchins on February 15, 1984, to pages 2 and 4 of amendment S—5100.

Senator Gallagher called for a division of amendment S—5116 to amendment S—5100: lines 3 through 18 as division S—5116A and lines 19 through 45 as division S—5116B.

Senator Tieden moved the adoption of division S—5116A to amendment S—5100, which motion prevailed by a voice vote.

Senator Hutchins moved the adoption of division S—5116B to amendment S—5100.

A non record roll call was requested.

The ayes were 14, nays 28.

Division S—5116B lost.

Senator Priebe offered amendment S—5128 filed by him from the floor to page 3 of amendment S—5100 and moved its adoption.

Amendment S—5128 was adopted by a voice vote.

Senator Priebe withdrew division S—5117C to page 1 of amendment S—5100, previously deferred.

Senator Miller of Des Moines offered amendment S—5110 filed by him on February 14, 1984, to page 4 of amendment S—5100 and moved its adoption.

Amendment S—5110 lost by a voice.

Senator Readinger offered amendment S—5123 filed by him on February 15, 1984, to page 5 of amendment S—5100.

Senator Van Gilst raised the point of order that amendment S—5123 to amendment S—5100 was not germane.

The Chair ruled the point not well taken and amendment S—5123 in order.

Senator Readinger moved the adoption of amendment S—5123 to amendment S—5100.

A non record roll call was requested.

The ayes were 19, nays 24.

Amendment S—5123 lost.

Senator Van Gilst offered amendment S—5114 filed by him on February 14, 1984, to page 5 of amendment S—5100.

Amendment S—5114 was adopted by a voice vote.

Senator Van Gilst moved the adoption of amendment S—5100 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5100 as amended, the Chair ruled the following amendments deferred on February 14, 1984, out of order:

S—3410 by the Committee on Natural Resources to page 1 of the bill.

S—3432 by Senator Van Gilst to page 1 of the bill.

S—3566 as amended by Senator Hall to pages 1, 2, 4 and 5 of the bill.

S—3572 by Senators Hultman, Tieden and Slater to page 3 of the bill.

Divisions S—3574A and S—3574B by Senator Rife to page 3 of the bill.

S—3576 by Senator Hall to S—3566.

S—3629 by Senator Priebe to pages 1 and 2 of the bill.

S—3634 by Senator Tieden to page 4 of the bill.

S—3635 by Senator Miller of Des Moines to page 5 of the bill.

S—3636 by Senator Miller of Des Moines to page 3 of the bill.

S—3639 by Senator Priebe to page 5 of the bill.

Divisions S—3643A, S—3643B and S—3643C by Senators Rodgers and Van Gilst to pages 4 and 5 of the bill.

S—3654 by Senator Taylor to page 5 of the bill.

S—3656 by Senators Hutchins and Schwengels to page 5 of the bill.

Senator Van Gilst moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 406) the vote was:

Ayes, 27:

Anderson	Briles	Brown	Bruner
Carr	Deluhery	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Hulse	Hultman	Junkins
Mann	Miller, A.V.	Nystrom	Readerger
Rodgers	Slater	Small	Soorholtz
Tieden	Vande Hoef	Van Gilst	

Nays, 19:

Coleman	Colton	Doyle	Gallagher
Gettings	Holden	Holt	Husak
Hutchins	Kinley	Miller, C.P.	Palmer
Priebe	Rife	Ritsema	Taylor
Waldstein	Wells	Welsh	

Absent or not voting, 4:

Horn	Jensen	Lind	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.

Senator Colton took the chair at 10:45 a.m.

SENATE INSISTS

House File 2072

Senator Small called up for consideration House File 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund, amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate insisted on its amendment.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2165.

Senate File 2165

On motion of Senator Slater, Senate File 2165, a bill for an act to provide for the development of a proposal to reduce upper-level management positions in certain state agencies, was taken up for consideration.

Senator Hultman offered amendment S-5121 filed by him on February 15, 1984, to strike everything after the enacting clause of the bill.

Senator Hultman asked and received unanimous consent that further action on amendment S-5121 and Senate File 2165 be deferred.

Senate File 2059

On motion of Senator Doyle, Senate File 2059, a bill for an act relating to the authority of a standing committee of the general assembly to call upon a state agency or political subdivision for

assistance and information, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2059) the vote was:

Ayes, 39:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Hultman	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Rodgers	Slater
Small	Soorholtz	Taylor	Van Gilst
Waldstein	Wells	Welsh	

Nays, 5:

Hester	Hulse	Ritsema	Tieden
Vande Hoef			

Absent or not voting, 6:

Drake	Horn	Jensen	Lind
Nystrom	Schwengels		

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2174.

Senate File 2174

On motion of Senator Brown, Senate File 2174, a bill for an act to require the state board of regents to inform the student government organizations at its institutions of higher learning about proposed tuition and fee increases, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2174) the vote was:

Ayes, 33:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Ritsema	Rodgers	Slater
Small	Soorholtz	Tieden	Wells
Welsh			

Nays, 9:

Gentleman	Holden	Holt	Hulse
Readinger	Rife	Taylor	Vande Hoef
Waldstein			

Absent or not voting, 8:

Drake	Horn	Hultman	Jensen
Lind	Nystrom	Schwengels	Van Gilst

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 2007

On motion of Senator Priebe, Senate File 2007, a bill for an act authorizing the board of supervisors to waive the payment of penalty and interest on delinquent property taxes for reasons of severe economic conditions, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2007) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Anderson	Briles	Carr	Coleman
Colton	Dieleman	Doyle	Drake
Gettings	Gratias	Hester	Holt
Hulse	Husak	Hutchins	Miller, A.V.
Priebe	Rife	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, 20:

Brown	Bruner	Deluhery	Gallagher
Gentleman	Goodwin	Hall	Holden
Junkins	Kinley	Mann	Miller, C.P.
Palmer	Readinger	Ritsema	Rodgers
Slater	Small	Soorholtz	Wells

Absent or not voting, 7:

Horn	Hultman	Jensen	Lind
Nystrom	Schwengels	Van Gilst	

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

President Anderson took the chair at 12:06 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Van Gilst for the remainder of the week on request of Senator Hutchins.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 2072 on the part of the Senate: Senators Small, Chair; Palmer, Bruner, Tieden and Drake.

INTRODUCTION OF RESOLUTION

Senate Resolution 106, by Tieden, a resolution requesting a change in the national standards for the composition of milk to require a higher milkfat and milk solids-not-fat content.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2194, by Coleman and Priebe, a bill for an act relating to parking violations and providing, with certain exceptions, that parking violations not be considered for license suspensions or revocations.

Read first time and passed on file.

Senate File 2195, by Deluhery, a bill for an act relating to the age which must be attained by a minor before the individual can donate blood without the permission of a parent or guardian.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:09 p.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., Senator Colton presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 2196, by Mann, a bill for an act relating to the purchase of equipment and supplies by the board of trustees of a county public hospital.

Read first time and passed on file.

BUSINESS PENDING

Senate File 2165

The Senate resumed consideration of Senate File 2165 and amendment S—5121 by Senator Hultman to strike everything after the enacting clause of the bill, previously deferred.

Senator Hultman asked and received unanimous consent that further action on amendment S—5121 and Senate File 2165 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2161.

Senate File 2161

On motion of Senator Priebe, Senate File 2161, a bill for an act to nullify an administrative rule of the department of transportation establishing certain equipment standards on implements of husbandry, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2161) the vote was:

Ayes, 37:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Dieleman	Doyle
Goodwin	Gratias	Hall	Hester
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 7:

Carr	Deluhery	Drake	Gallagher
Gettings	Mann	Rife	

Absent or not voting, 6:

Gentleman	Holden	Horn	Lind
Schwengels	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 2165

The Senate resumed consideration of Senate File 2165 and amendment S—5121 by Senator Hultman to strike everything after the enacting clause of the bill, previously deferred.

Senator Ritsema offered amendment S—5137 filed by him from the floor to amendment S—5121 and moved its adoption.

Amendment S—5137 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—5121 as amended and requested a non record roll call.

A record roll call was requested.

On the question "Shall amendment S—5121 as amended be adopted?" (S.F. 2165) the vote was:

Ayes, 18:

Briles	Drake	Goodwin	Gratias
Hester	Holden	Holt	Hulse
Hultman	Jensen	Nystrom	Readinger
Rife	Small	Soorholtz	Taylor
Tieden	Vande Hoef		

Nays, 27:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Ritsema	Rodgers	Slater
Waldstein	Wells	Welsh	

Absent or not voting, 5:

Gentleman	Horn	Lind	Schwengels
Van Gilst			

Amendment S—5121 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gentleman for the remainder of the week on request of Senator Hultman.

BUSINESS PENDING

The Senate resumed consideration of Senate File 2165.

Senator Hultman offered amendment S—5135 filed by him from the floor to page 1 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—5135 be adopted?" (S.F. 2165) the vote was:

Ayes, 16:

Briles	Goodwin	Gratias	Hester
Holden	Holt	Hulse	Hultman
Jensen	Nystrom	Readinger	Rife
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Hall	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ritsema	Slater
Small	Waldstein	Wells	Welsh

Absent or not voting, 6:

Gentleman	Horn	Lind	Rodgers
Schwengels	Van Gilst		

Amendment S—5135 lost.

Senator Hultman offered amendment S—5136 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5136 lost by a voice vote.

Senator Hultman offered amendment S—5134 filed by him from the floor to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 26.

Amendment S—5134 lost.

Senator Slater offered amendment S—5130 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5130 was adopted by a voice vote.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2165) the vote was:

Ayes, 36:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Gratias	Hall	Holt	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, 9:

Briles	Goodwin	Hester	Holden
Hulse	Hultman	Small	Soorholtz
Tieden			

Absent or not voting, 5:

Gentleman	Horn	Lind	Schwengels
Van Gilst			

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2122.

Senate File 2122

On motion of Senator Deluhery, Senate File 2122, a bill for an act relating to county libraries, with report of committee recommending passage, was taken up for consideration.

Senator Wells offered amendment S—5113 filed by him on February 14, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5113 was adopted by a voice vote.

Senator Soorholtz offered amendment S—5124 filed by him on February 15, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5124 was adopted by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2122) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gentleman
Van Gilst

Horn

Lind

Schwengels

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

Senator Junkins asked and received unanimous consent to take up out of order House File 169.

House File 169

On motion of Senator Miller of Des Moines, House File 169, a bill for an act establishing a time limit for completion of audits of units of local government, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5109 filed by the committee on Local Government on February 14, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5109 was adopted by a voice vote.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 169) the vote was:

Ayes, 43:

Anderson
Carr
Dieleman
Goodwin
Holden
Husak
Kinley
Nystrom
Ritsema
Soorholtz
Waldstein

Briles
Coleman
Doyle
Gratias
Holt
Hutchins
Mann
Palmer
Rodgers
Taylor
Wells

Brown
Colton
Gallagher
Hall
Hulse
Jensen
Miller, A.V.
Readinger
Slater
Tieden
Welsh

Bruner
Deluhery
Gettings
Hester
Hultman
Junkins
Miller, C.P.
Rife
Small
Vande Hoef

Nays, none.

Absent or not voting, 7:

Drake
Priebe

Gentleman
Schwengels

Horn
Van Gilst

Lind

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2170.

Senate File 2170

On motion of Senator Briles, Senate File 2170, a bill for an act to provide temporary funding for the brucellosis and tuberculosis eradication fund, was taken up for consideration.

Senator Briles moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2170) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Readinger	Rife
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Holden	Priebe	Ritsema
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Absent or not voting, 5:

Gentleman	Horn	Lind	Schwengels
Van Gilst			

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate Files 2175 and 2176.

Senate File 2175

On motion of Senator Miller of Des Moines, Senate File 2175, a bill for an act relating to dispensing of generically equivalent drugs, was taken up for consideration.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2175) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulge
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Gentleman	Horn	Lind	Palmer
Schwengels	Van Gilst		

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

Senate File 2176

On motion of Senator Ritsema, Senate File 2176, a bill for an act eliminating the requirement that a facility licensed by the department of substance abuse providing child foster care be licensed by the department of human services, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2176) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A. V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gentleman	Horn	Lind	Schwengels
Van Gilst			

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2177.

Senate File 2177

On motion of Senator Brown, Senate File 2177, a bill for an act to requirement that school districts offer kindergarten programs, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2177) the vote was:

Ayes, 34:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Gratias	Hall	Husak

Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rodgers	Slater
Small	Soorholtz	Tieden	Waldstein
Wells	Welsh		

Nays, 11:

Goodwin	Hester	Holden	Holt
Hulse	Hultman	Jensen	Rife
Ritsema	Taylor	Vande Hoef	

Absent or not voting, 5:

Gentleman	Horn	Lind	Schwenigels
Van Gilst			

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

House File 2229

On motion of Senator Welsh, House File 2229, a bill for an act modifying the definitions and schedules of controlled substances and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2229) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gentleman
Van Gilst

Horn

Lind

Schwengels

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 February 14, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2067, a bill for an act establishing an age limit for participants in amateur boxing.

This bill was read first time and **passed on file**.

House File 2095, a bill for an act relating to reports of the operations review division of the Iowa state commerce commission.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 16, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2295, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date.

This bill was 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 amendment S—5122 to Senate File 510, the following technical correction was made:

1. Page 4, line 2, "570A.2" was changed to "570A.3".

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2007 failed to pass the Senate on February 16, 1984.

WILLIAM D. PALMER

STUDY BILL RECEIVED

S.S.B. 2195 Human Resources

Making changes in the practice act relating to physical therapy.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2190	Ways and Means
S.F.	2191	Transportation
S.F.	2192	Commerce
S.F.	2193	Energy
S.F.	2194	Transportation
S.F.	2195	Human Resources
S.R.	106	Agriculture
H.F.	580	State Government
H.F.	2071	Transportation
H.F.	2126	State Government
H.F.	2202	Transportation
H.F.	2232	Transportation
H.F.	2263	Commerce

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH.

Convened: February 15, 1984, 9:52 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Reports and budget presentations from Mount Pleasant MSU, Training Center, Clarinda CTU, and North Central, Rockwell City.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 15, 1984, 9:55 a.m.

Members Present: Husak, Chair; Colton, Vice Chair; Rife and A. Miller.

Members Absent: Readinger, Ranking Member.

Other Committee Business: Block Grant Presentations by maternal & child health, preventive health.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 15, 1984, 9:50 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member and Priebe.

Members Absent: Hester (excused.)

Other Committee Business: Report from Jack Bailey, Director of the Iowa Development Commission.

Adjourned: 11:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: February 15, 1984, 9:55 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member and Rodgers.

Members Absent: Jensen (excused.)

Other Committee Business: Overview of the State Comptroller's Data Processing and Industrial Commission.

Adjourned: 11:30 a.m.

AGRICULTURE

Hearing Convened: February 15, 1984, 2:45 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein.

Members Absent: Hester, Ranking Member (excused) and Gallagher.

Other Committee Business: Joint hearing of the Senate-House Agriculture committees to discuss farm depression, disasters, and emergency feed program.

Adjourned: 5:00 p.m.

COMMERCE

Convened: February 16, 1984, 8:04 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery (arrived 8:10 a.m.), Gallagher, Holden, Palmer and Tieden.

Members Absent: Nystrom.

Final Bill Action: *SENATE FILE 2116, a bill for an act to provide resale rights to a holder of a farm implements or parts franchise upon termination of the franchise.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5132.

Final Vote: Ayes, 6: Kinley, Priebe, Jensen, Deluhery, Holden and Tieden. Nays, 2: Bruner and Palmer. Voting present, 1: Gallagher. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

* Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2116 and they were attached to the report of the committee meeting.

ALSO:

Final Bill Action: SENATE FILE 2136, a bill for an act requiring state banks, private banks, and state savings and loan associations to obtain and maintain account insurance.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Kinley, Jensen, Bruner, Gallagher, Holden, Palmer and Tieden. Nays, 1: Priebe. Absent or not voting, 2: Deluhery and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned House File 2068 and SSB 2190 to subcommittees; deferred action on Senate File 340 and SSB 2063.

Adjourned: 9:05 a.m.

ENERGY

Convened: February 14, 1984, 1:30 p.m.

Members Present: Gallagher, Chair; Brown, Bruner, C. Miller, Tieden and Van Gilst.

Members Absent: Hultman (excused), Colton, Vice Chair; Rife, Ranking Member and Hulse.

Other Committee Business: Ron Ritter of the Federal Environmental Protection Agency spoke to the committee about the federal regulations on Iowa coal; John Neubauer, who was to speak to the committee about converting garbage to steam, was asked to attend the February 29th Energy Committee meeting when more members could be present.

Adjourned: 2:05 p.m.

JUDICIARY

Convened: February 15, 1984, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh.

Members Absent: Small (excused) and Briles.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: February 15, 1984, 3:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Schwengels (excused) and Briles.

Final Bill Action: SENATE FILE 2117, a bill for an act relating to solicitation of charitable contributions from state officers and employees.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz, Welsh, Slater, Carr and Nystrom. Nays, none. Absent or not voting, 2: Schwengels and Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 140, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor and making it effective upon publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5133.

Final Vote: Ayes, 12: Slater, Carr, Nystrom, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Schwengels and Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2098 and LSB 3989S 70 ordered redrafted as committee bills.

Adjourned: 4:00 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dale Christensen, M.D., Lake City, Iowa.

AMENDMENTS FILED

S—5128	H.F.	406	Berl E. Priebe
S—5129	S. F.	2014	Tom Slater
S—5130	S. F.	2165	Tom Slater
S—5131	S. F.	2073	Douglas Ritsema
S—5132	S. F.	2116	Commerce
S—5133	H.F.	140	State Government
S—5134	S. F.	2165	Calvin O. Hultman
S—5135	S. F.	2165	Calvin O. Hultman
S—5136	S. F.	2165	Calvin O. Hultman
S—5137	S. F.	2165	Douglas Ritsema
S—5138	S. F.	2073	Calvin O. Hultman
S—5139	S. F.	347	Richard F. Drake Donald V. Doyle

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Friday, February 17, 1984.

JOURNAL OF THE SENATE

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FORTIETH CALENDAR DAY TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 17, 1984

The Senate met in regular session at 9:08 a.m., President Anderson presiding.

Prayer was offered by the Reverend Ronald Stein, pastor of the First Baptist Church, Chariton, Iowa.

The Journal of Thursday, February 16, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 2197, by Waldstein, a bill for an act relating to the establishment and dissolution of a sanitary district.

Read first time and passed on file.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Carr for the day on request of Senator Hutchins.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 347.

Senate File 347

On motion of Senator Drake, Senate File 347, a bill for an act providing for the issuance of special registration plates to former prisoners of war which contain the letters "POW" followed by three numerals at the regular registration fee, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman offered amendment S—5115 filed by the committee on Transportation on February 15, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5115 was adopted by a voice vote.

Senator Gratias offered amendment S—3190 filed by Senators Gratias and Hutchins on March 8, 1983, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 12.

Amendment S—3190 was adopted.

Senator Drake offered amendment S—5139 filed by Senators Drake and Doyle on February 16, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5139 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 347) the vote was:

Ayes, 39:

Anderson
Colton

Briles
Dieleman

Brown
Doyle

Bruner
Drake

Gallagher	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 3:

Coleman	Kinley	Slater
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Absent or not voting, 8:

Carr	Deluhery	Gentleman	Horn
Lind	Mann	Schwengels	Van Gilst

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 602.

House File 602

On motion of Senator Rife, House File 602, a bill for an act repealing the requirement for a study to determine the percentage of motor fuel tax collected that derives from motor fuel used in watercraft, with report of committee recommending passage, was taken up for consideration.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 602) the vote was:

Ayes, 41:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema

Rodgers
Tieden
Welsh

Slater
Vande Hoef

Soorholtz
Waldstein

Taylor
Wells

Nays, none.

Absent or not voting, 9:

Carr
Lind
Van Gilst

Deluhery
Mann

Gentleman
Schwengels

Horn
Small

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

CONFIRMATION OF APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Iowa Product Development Corporation

Daniel K. Dittmore, committee recommendation found on page 246 of the Senate Journal.

Theodore K. Watson, committee recommendation found on page 279 of the Senate Journal.

Iowa High Technology Council

Varel G. Bailey, committee recommendation found on page 183 of the Senate Journal.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 42:

Anderson
Coleman
Drake

Briles
Colton
Gallagher

Brown
Dieleman
Gettings

Bruner
Doyle
Goodwin

Gratias	Hall	Hester	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Carr	Deluhery	Gentleman	Horn
Lind	Mann	Schwengels	Van Gilst

The appointees having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2182.

Senate File 2182

On motion of Senator Hutchins, Senate File 2182, a bill for an act relating to the membership of the Iowa development commission, was taken up for consideration.

Senator Hutchins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2182) the vote was:

Ayes, 37:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gettings	Goodwin
Gratias	Hall	Holden	Holt
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Slater

Small
Welsh

Taylor

Tieden

Wells

Nays, 4:

Hester

Ritsema

Vande Hoef

Waldstein

Absent or not voting, 9:

Carr

Deluhery

Gentleman

Horn

Lind

Mann

Schwengels

Soorholtz

Van Gilst

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2184.

Senate File 2184

On motion of Senator Anderson, Senate File 2184, a bill for an act relating to the qualifications of the superintendent of public instruction, was taken up for consideration.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2184) the vote was:

Ayes, 41:

Anderson

Briles

Brown

Bruner

Coleman

Colton

Dieleman

Doyle

Drake

Gallagher

Gettings

Goodwin

Gratias

Hall

Hester

Holden

Holt

Hulse

Hultman

Husak

Hutchins

Jensen

Junkins

Kinley

Miller, A.V.

Miller, C.P.

Nystrom

Palmer

Priebe

Readinger

Rife

Ritsema

Rodgers

Slater

Small

Taylor

Tieden

Vande Hoef

Waldstein

Wells

Welsh

Nays, none.

Absent or not voting, 9:

Carr

Deluhery

Gentleman

Horn

Lind
Van Gilst

Mann

Schwengels

Soorholtz

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 2073

On motion of Senator Gallagher, Senate File 2073, a bill for an act establishing a capitol restoration fund, providing for an income tax checkoff for the capitol restoration fund and appropriating the moneys in the fund, with report of committee recommending passage, was taken up for consideration.

Senator Hultman offered amendment S—5138 filed by him on February 16, 1984, to strike everything after the enacting clause and to the title page of the bill.

Senator Kinley raised the point of order that amendment S—5138 was not germane to the bill.

Senator Kinley withdrew his point of order.

Senator Hultman moved the adoption of amendment S—5138.

A record roll call was requested.

On the question "Shall amendment S—5138 be adopted?" (S.F. 2073) the vote was:

Ayes, 35:

Anderson
Colton
Gallagher
Hall
Hultman
Kinley
Palmer
Rodgers
Tieden

Briles
Dieleman
Gettings
Holden
Husak
Miller, A.V.
Priebe
Slater
Waldstein

Brown
Doyle
Goodwin
Holt
Hutchins
Miller, C.P.
Readinger
Small
Wells

Bruner
Drake
Gratias
Hulse
Junkins
Nystrom
Rife
Taylor

Nays, 6:

Coleman	Deluhery	Hester	Ritsema
Vande Hoef	Welsh		

Absent or not voting, 9:

Carr	Gentleman	Horn	Jensen
Lind	Mann	Schwengels	Soorholtz
Van Gilst			

Amendment S—5138 was adopted.

With the adoption of amendment S—5138, the Chair ruled amendment S—5131 filed by Senator Ritsema on February 16, 1984, to page 1 and the title page of the bill, out of order.

Senator Gallagher moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2073) the vote was:

Ayes, 32:

Anderson	Briles	Brown	Bruner
Colton	Dieleman	Doyle	Drake
Gallagher	Gettings	Gratias	Hall
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Slater.
Small	Taylor	Tieden	Wells

Nays, 10:

Coleman	Deluhery	Goodwin	Hester
Holden	Holt	Ritsema	Vande Hoef
Waldstein	Welsh		

Absent or not voting, 8:

Carr	Gentleman	Horn	Lind
Mann	Schwengels	Soorholtz	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 BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2181.

Senate File 2181

On motion of Senator Brown, Senate File 2181, a bill for an act relating to reimbursement of law enforcement officer training costs incurred by cities, was taken up for consideration.

Senator Vande Hoef offered amendment S—5141 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5141 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on Senate File 2181 be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2188.

Senate File 2188

On motion of Senator Doyle, Senate File 2188, a bill for an act relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2188) the vote was:

Ayes, 41:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Ritsema

Rodgers
Taylor
Wells

Slater
Tieden

Small
Vande Hoef

Soorholtz
Waldstein

Nays, none.

Absent or not voting, 9:

Carr
Mann
Welsh

Gentleman
Rife

Horn
Schwengels

Lind
Van Gilst

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

CONFIRMATION OF APPOINTMENTS (Individual Confirmation Calendar)

In accordance with Senate Rule 60, Senator Drake called up the appointment of L.C. Pike as a member of the State Racing Commission placed on the Individual Confirmation Calendar on February 9, 1984, and found on page 385 of the Senate Journal.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Anderson
Coleman
Doyle
Goodwin
Holden
Husak
Kinley
Palmer
Rodgers
Taylor
Wells

Briles
Colton
Drake
Gratias
Holt
Hutchins
Miller, A.V.
Priebe
Slater
Tieden
Welsh

Brown
Deluhery
Gallagher
Hall
Hulse
Jensen
Miller, C.P.
Readinger
Small
Vande Hoef

Bruner
Dieleman
Gettings
Hester
Hultman
Junkins
Nystrom
Ritsema
Soorholtz
Waldstein

Nays, none.

Absent or not voting, 8:

Carr
Mann

Gentleman
Rife

Horn
Schwengels

Lind
Van Gilst

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

In accordance with Senate Rule 60, Senator Ritsema called up the appointment of Lavonne Mydland as a member of the State Racing Commission placed on the Individual Confirmation Calendar on February 9, 1984, and found on page 385 of the Senate Journal.

Senator Ritsema moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	Briles	Brown	Bruner
Colton	Deluhery	Dieleman	Doyle
Drake	Gallagher	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Carr	Coleman	Gentleman	Horn
Lind	Mann	Rife	Schwengels
Van Gilst			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

In accordance with Senate Rule 60, Senator Doyle called up the appointment of Lawrence F. Scalise as a member of the State Racing Commission placed on the Individual Confirmation Calendar on February 9, 1984, and found on page 385 of the Senate Journal.

Senator Doyle moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gettings	Goodwin
Gratias	Hall	Hester	Holt
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 2:

Dieleman Holden

Absent or not voting, 9:

Carr	Gentleman	Horn	Hutchins
Lind	Mann	Priebe	Schwengels
Van Gilst			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

In accordance with Senate Rule 60, Senator Doyle called up the appointment of Steve Sovern as a member of the State Racing Commission placed on the Individual Confirmation Calendar on February 9, 1984, and found on page 385 of the Senate Journal.

Senator Doyle moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, C.P.	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers

Slater
Tieden
Welsh

Small
Vande Hoef

Soorholtz
Waldstein

Taylor
Wells

Nays, none.

Absent or not voting, 9:

Carr
Mann
Van Gilst

Gentleman
Miller, A.V.

Horn
Priebe

Lind
Schwengels

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

In accordance with Senate Rule 60, Senator Doyle called up the appointment of Dr. Sally Brown Prickett as a member of the State Racing Commission placed on the Individual Confirmation Calendar on February 9, 1984, and found on page 385 of the Senate Journal.

Senator Doyle moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Anderson
Coleman
Drake
Gratias
Holt
Hutchins
Miller, C.P.
Rife
Small
Vande Hoef

Briles
Colton
Gallagher
Hall
Hulse
Jensen
Nystrom
Ritsema
Soorholtz
Waldstein

Brown
Deluhery
Gettings
Hester
Hultman
Junkins
Palmer
Rodgers
Taylor
Wells

Bruner
Doyle
Goodwin
Holden
Husak
Kinley
Readinger
Slater
Tieden
Welsh

Nays, 1:

Dieleman

Absent or not voting, 9:

Carr
Mann
Van Gilst

Gentleman
Miller, A.V.

Horn
Priebe

Lind
Schwengels

The appointee having received a two-thirds vote was declared to have been confirmed by 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 February 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2189, a bill for an act creating a commission on children, youth, and families and providing its purpose and duties.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 14, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 378, a bill for an act relating to veteran preference in public employment and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the conference committee on House File 2072, a bill for an act relating to the reduction of general fund appropriations by providing a method of allocating general state financial aid to merged area schools, reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and making appropriations funds for these capital projects for the fiscal year beginning July 1, 1984, and funding the driver's license program from the primary road fund, appointed February 16, 1984 are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Scott, Mr. Arnould, the Representative from Mills, Mr. Harbor, the Representative from Johnson, Mr. Varn, and the Representative from Hardin, Mr. Welden.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE JOINT
RESOLUTION 2005

Ways & Means
Carr, Chair
Small
Holt

SENATE FILE 2133

Ways & Means
Gratias, Chair
Rodgers
Small

SENATE FILE 2139

State Government
Welsh, Chair
Dieleman
Drake

SENATE FILE 2142

Ways & Means
Small, Chair
Dieleman
Soorholtz

SENATE FILE 2148

Transportation
Jensen, Chair
Priebe
Welsh

SENATE FILE 2150

Transportation
Coleman, Chair
Priebe
Nystrom

SENATE FILE 2152

State Government
Rife, Chair
Carr
Slater

SENATE FILE 2131

Transportation
Priebe, Chair
Drake
Jensen

SENATE FILE 2134

Natural Resources
Rife, Chair
Gettings
Priebe

SENATE FILE 2140

State Government
Welsh, Chair
Dieleman
Drake

SENATE FILE 2146

Education
Horn, Chair
Anderson
Gratias

SENATE FILE 2149

Labor & Industrial Relations
Hultman, Chair
Gettings
Slater

SENATE FILE 2151

Ways & Means
Readinger, Chair
Husak
Rodgers

SENATE FILE 2156

Ways & Means
Dieleman, Chair
Husak
Hester

SENATE FILE 2158

State Government
Carr, Chair
Rife
Dieleman

SENATE FILE 2164

State Government
Dieleman, Chair
Slater
Rife

SENATE FILE 2172

State Government
Coleman, Chair
Gettings
Soorholtz

HOUSE FILE 257

State Government
Dieleman, Chair
Gettings
Soorholtz

HOUSE FILE 2124

Judiciary
Dieleman, Chair
Drake
Doyle

HOUSE FILE 2212

Transportation
A. Miller, Chair
Drake
Priebe

SSB 209

Education
Horn, Chair
Gallagher
Taylor

SSB 2158

Judiciary
Mann, Chair
Gentleman
Ritsema

SENATE FILE 2163

Judiciary
Mann, Chair
Horn
Gentleman

SENATE FILE 2169

Transportation
Priebe, Chair
Jensen
A. Miller

SENATE FILE 2173

Judiciary
Dieleman, Chair
Mann
Goodwin

HOUSE FILE 2063

Commerce
Deluhery, Chair
Bruner
Tieden

HOUSE FILE 2170

Human Resources
Carr, Chair
Gentleman
Hall

HOUSE FILE 2229

Judiciary
Horn, Chair
Drake
Welsh

SSB 2151

Small Business &
Economic Development
Mann, Chair
Hutchins
Hulse

SSB 2159

Human Resources
Horn, Chair
Slater
Briles

SSB 2160

Human Resources
Gratias, Chair
C. Miller
Gentleman

SSB 2162

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2164

Judiciary
Gentleman, Chair
Goodwin
Mann

SSB 2166

Judiciary
Mann, Chair
Ritsema
Small

SSB 2168

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2170

Judiciary
Mann, Chair
Ritsema
Small

SSB 2161

Judiciary
Dieleman, Chair
Drake
Small

SSB 2163

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2165

Judiciary
Ritsema, Chair
Small
Welsh

SSB 2167

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2169

Judiciary
Dieleman, Chair
Drake
Doyle

SSB 2171

Judiciary
Mann, Chair
Ritsema
Small

SSB 2172

Judiciary
Horn, Chair
Dieleman
Small

SSB 2174

Local Government
Wells, Chair
Colton
Vande Hoef

SSB 2176

Education
Horn, Chair
Anderson
Ritsema

SSB 2178

Ways & Means
Rodgers, Chair
Dieleman
Holden

SSB 2180

Ways & Means
Palmer, Chair
Carr
Holt

SSB 2182

Ways & Means
Van Gilst, Chair
Husak
Gratias

SSB 2184

Ways & Means
Rodgers, Chair
Small
Hester

SSB 2173

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2175

Local Government
A. Miller, Chair
Goodwin
C. Miller

SSB 2177

Education
Horn, Chair
Anderson
Ritsema

SSB 2179

Ways & Means
Brown, Chair
Small
Hester

SSB 2181

Ways & Means
Palmer, Chair
Carr
Dieleman
Holden
Readinger

SSB 2183

Ways & Means
Palmer, Chair
Dieleman
Rodgers
Hester
Soorholtz

SSB 2185

Ways & Means
Palmer, Chair
Rodgers
Dieleman
Readinger
Gratias

SSB 2186

Education
Gratias, Chair
Gallagher
Taylor

SSB 2188

Ways & Means
Small, Chair
Rodgers
Holt

SSB 2190

Commerce
Bruner, Chair
Deluhery
Jensen

SSB 2192

State Government
Slater, Chair
Drake
Welsh

SSB 2194

State Government
Carr, Chair
Slater
Briles

LSB 3749S 70

Transportation
Coleman, Chair
Priebe
Lind

Senate File 2148

Transportation
(Additional members)
Coleman
Lind

SSB 2187

Ways & Means
Palmer, Chair
Carr
Brown
Holden
Hester

SSB 2189

Education
Colton, Chair
Brown
Gratias

SSB 2191

State Government
C. Miller, Chair
Slater
Carr
Briles
Drake

SSB 2193

State Government
Slater, Chair
Drake
Welsh

SSB 2195

Human Resources
Horn, Chair
Briles
Hall

LSB 3989S 70

State Government
Carr, Chair
Welsh
Soorholtz

STUDY BILLS RECEIVED

S.S.B. 2196 Transportation

Relating to the state aviation fund by authorizing use of aviation funds for airport rehabilitation, eliminating refunds on aviation fuel tax to nonagricultural operators, crediting revenues from the tax on the sale of jet fuel to the state aviation fund, and providing an effective date.

S.S.B. 2197 Transportation

Allowing a maximum set-aside of ten percent of the total dollar amount of federal aid highway construction contracts let by the state department of transportation for bidding by prequalified disadvantaged business enterprises.

S.S.B. 2198 Human Resources

Relating to criteria for the issuance of a certificate of need by the state health facilities council.

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 seventeenth day of February, 1984.

Senate Files 345 and 475.

K. MARIE THAYER
Secretary of the Senate

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 16, 1984, 7:45 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Reports given by: Gary Baugher, Chairman of the Board, Iowa Department of Corrections and Duane Giesler, Vice Chairman, Prison

Adjourned: 8:55 a.m.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Ken Benda, former member of the Senate from Iowa and Poweshiek Counties, who was present in the Senate chamber.

AMENDMENTS FILED

S—5140	S. F.	2160	Calvin O. Hultman Ted Anderson
S—5141	S. F.	2181	Richard Vande Hoef
S—5142	S. F.	2117	Ted Anderson

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 11:27 a.m., until 1:00 p.m., Tuesday, February 21, 1984.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 21, 1984

The Senate met in regular session at 1:10 p.m., Senator Hall presiding.

Prayer was offered by Reverend Andrew Hofer, pastor of the First Presbyterian Church, Audubon, Iowa.

The Journal of Friday, February 17, 1984, was approved

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the day on request of Senator Hultman; Senator Gallagher for the week and Senator Rodgers for the afternoon session on request of Senator Hutchins.

RECESS

On motion of Senator Junkins, the Senate recessed at 1:25 p.m., until 4:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., President Anderson 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 February 16, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2065, a bill for an act limiting gas or electric service deposits.

This bill was read first time and passed on file.

House File 2185, a bill for an act relating to a candidacy for election to an area education agency board.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2198, by Palmer, a bill for an act providing for the exclusion from a sanitary district of land which is unlikely to benefit from the district.

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

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Soorholtz presiding.

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 twenty-first day of February, 1984:

Senate Files 159 and 2050.

K. MARIE THAYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5114 to S—5100 to House File 406, the following technical correction was made:

1. Page 1, line 7, "section 8" was changed to "section 10".

K. MARIE THAYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2196	Local Government
S. F.	2197	Local Government
H. F.	378	State Government
H. F.	2067	State Government
H. F.	2095	State Government
H. F.	2189	State Government
H. F.	2295	Ways and Means

STUDY BILLS RECEIVED

S.S.B. 2199 State Government

Relating to the filing of a list of unpaid obligations by state agencies with the state comptroller.

S.S.B. 2200 State Government

Relating to publications by state agencies.

S.S.B. 2201 Judiciary

To provide a deterrent to persons operating a motor vehicle after consuming alcohol by declaring certain acts illegal and establishing penalties.

S.S.B. 2202 Judiciary

Relating to the appointment, terms, retention and qualifications of magistrates.

S.S.B. 2203 Judiciary

Relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties.

S.S.B. 2204 Education

Relating to the references to "voters" in regard to school district boundary petitions.

S.S.B. 2205 Small Business & Economic Development

To amend the merit review standards for new issues of securities under the Iowa blue sky law.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 21, 1984, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 345—Authorizing specified professionals to dispense and issue prescription drugs and controlled substances and to delegate nonjudgmental dispensing functions and providing a penalty.

S.F. 475—To provide for a regulatory flexibility analysis in the promulgation of administrative rules.

PETITIONS

The following petitions were presented and placed on file by:

Senator Priebe from twenty residents of Kossuth County favoring legislation to limit taxes, revenue, spending and other activities of state and local governments.

Senator Small from one hundred eighty-three residents of Johnson County favoring legislation establishing a state lottery.

The following petitions opposing legislation establishing a state lottery were presented and placed on file by:

Senator Dieleman from thirty-eight residents of Polk County.

Senator Kinley from thirty-nine residents of Polk County.

Senator Readinger from thirty-eight residents of Polk County.

AMENDMENT FILED

S—5143	H.F.	140	Tom Slater
			Edgar H. Holden

ADJOURNMENT

On motion of Senator Hultman, the Senate adjourned at 5:43 p.m., until 9:00 a.m., Wednesday, February 22, 1984.

JOURNAL OF THE SENATE

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FORTY-FIFTH CALENDAR DAY TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 22, 1984

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

Prayer was offered by the Reverend Marvin Van Donselaar, pastor of the Ochevedan Christian Reformed Church, Ochevedan, Iowa.

The Journal of Tuesday, February 21, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

INTRODUCTION OF BILL

Senate File 2199, by Committee on Transportation, a bill for an act relating to the safety of persons being transported or traversing the highways and providing penalties.

Read first time and placed on calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:35 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2200, by Schwengels and Slater, a bill for an act providing for an appropriation to the department of water, air and

waste management for a sampling study of hazardous and toxic waste generators which could affect the quality of groundwater in the state.

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

Senate File 2201, by Schwengels, a bill for an act providing an appropriation to Iowa state university of science and technology for research to develop perennial cash crops.

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

Senate File 2202, by Committee on Commerce, a bill for an act relating to the procedure required for a savings and loan association chartered in another state or country to transact business in Iowa.

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

Senate File 2203, by Committee on State Government, a bill for an act to allow a person who is an instructor or proprietor at a licensed school of cosmetology to serve on the board of cosmetology examiners.

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

Senate File 2204, by Welsh, a bill for an act abolishing the state functional classification review board.

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

Senate File 2205, by Committee on Natural Resources, a bill for an act relating to the fees for the registration of vessels.

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

Senate File 2206, by Miller of Des Moines, a bill for an act relating to the safety and security of passengers on buses and in bus terminals, by establishing criminal offenses and providing penalties.

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

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Priebe presiding.

APPENDIX

FURTHER REPORT OF COMMITTEE MEETING

COMMERCE*

*A previous report of this meeting was recorded on pages 469-470 of the Senate Journal.

Final Bill Action: SENATE FILE 2202 (SSB 2110), a bill for an act relating to the procedure required for a savings and loan association chartered in another state or country to transact business in Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Palmer and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2198	Local Government
S. F.	2200	Natural Resources
S. F.	2201	Agriculture
H. F.	2065	Commerce
H. F.	2185	Education

STUDY BILLS RECEIVED

S.S.B. 2206 Local Government

Relating to military veterans benefits.

S.S.B. 2207 Commerce

Relating to the ownership of joint transmission facilities.

S.S.B. 2208 State Government

Relating to participation in political precinct caucuses and providing a penalty.

S.S.B. 2209 Ways and Means

Relating to the taxation of engraving, photography, retouching, printing, and binding under the state sales, services, and use tax.

S.S.B. 2210 Ways and Means

Relating to liability for the payment of the sales, services, and use tax and the filing of sales, services, and use tax returns.

S.S.B. 2211 Ways and Means

Relating to the apportionment of the net income of a farm corporation for purposes of the corporate income tax, with a retroactive effective date.

S.S.B. 2212 Ways and Means

To provide a partial property tax exemption for warehouses and distribution centers on which improvements have been made.

S.S.B. 2213 Human Resources

Repealing the hospital licensing and hospital construction chapters of the Code.

S.S.B. 2214 Education

Requiring the department of public instruction to adopt rules relating to the review of an action or omission relating to special education programs by state or local authorities.

REPORTS OF COMMITTEE MEETINGS**NATURAL RESOURCES**

Convened: February 15, 1984, 8:05 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Doyle, Gettings, Goodwin, Hall and Rife.

Members Absent: Schwengels, Ranking Member (excused); Priebe and Hester.

Final Bill Action: SENATE FILE 2205 (SSB 2077), a bill for an act relating to the fees for the registration of vessels.

Recommendation: APPROVED COMMITTEE BILL .

Final Vote: Ayes, 7: Van Gilst, Rodgers, Doyle, Gettings, Goodwin, Rife and Hall. Nays, none. Absent or not voting, 3: Schwengels, Priebe and Hester.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:35 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 21, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratias, Hulse, Hutchins, Mann, A. Miller and Readinger.

Members Absent: Rodgers and Lind (excused.)

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:45 p.m.

STATE GOVERNMENT

Convened: February 21, 1984, 2:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Schwengels (excused.)

Final Bill Action: SENATE FILE 7, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Coleman, Briles, Bruner, Drake, Dieleman, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, 1: Slater. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2014, a bill for an act to establish limits to the amount of money a candidate's committee can accept from a political committee.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5144.

Final Vote: Ayes, 9: Slater, Carr, Bruner, Coleman, Dieleman, Gettings, C. Miller, Soorholtz and Welsh. Nays, 4: Nystrom, Briles, Drake and Rife. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2203, a bill for an act to allow a person who is an instructor or proprietor at a licensed school of cosmetology to serve on the board of cosmetology examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, 1: Dieleman. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:15 p.m.

TRANSPORTATION

Convened: February 21, 1984, 3:35 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Priebe and Welsh.

Members Absent: Lind and Nystrom (both excused.)

Final Bill Action: SENATE FILE 2169, a bill for an act including vehicles used to transport agricultural products being pulled by a tractor as implements of husbandry.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2199, a bill for an act relating to the safety of persons being transported or traversing the highways and providing penalties.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 6: Coleman, A. Miller, Drake, Doyle, Jensen and Priebe. Nays, 2: Hall and Welsh. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:55 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles W. Beckman, M.D., Kalona, Iowa.

AMENDMENTS FILED

S—5144	S. F.	2014	State Government
S—5145	S. F.	2093	Tom Slater
S—5146	H.F.	2218	Richard F. Drake

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:23 p.m., until 9:00 a.m., Thursday, February 23, 1984.

JOURNAL OF THE SENATE

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FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 23, 1984

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

Prayer was offered by Father Gerald Ryan, pastor of the St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Wednesday, February 22, 1984, 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 February 21, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2194, a bill for an act relating to the reporting of receipts by the county treasurer.

This bill was read first time and **passed on file**.

House File 2265, a bill for an act permitting certain teachers at the Iowa school for the deaf and Iowa braille and sight-saving school to be eligible for certain repayment criteria for loan programs.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 2207, by Miller of Des Moines, a bill for an act relating to the method used for readjusting pensions of retired members of the peace officers' retirement system and local police and fire retirement systems.

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

Senate File 2208, by Miller of Des Moines, a bill for an act to prohibit driving a motor vehicle on other than the paved or main traveled part of the highway with certain exceptions and providing a penalty.

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

Senate File 2209, by Holden, a bill for an act to repeal mandatory motor vehicle inspections.

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

Senate File 2210, by Taylor, a bill for an act relating to the correction of assessment errors and the grant of tax credits for excess taxes paid.

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

Senator Hall took the chair at 9:08 a.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2183.

Senate File 2183

On motion of Senator Gentleman, Senate File 2183, a bill for an act relating to sexual abuse committed by engaging in a sex act against the will of the other participant, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2183) the vote was:

Ayes, 40:

Anderson
Coleman
Doyle
Goodwin
Holden

Briles
Colton
Drake
Gratias
Holt

Bruner
Deluhery
Gentleman
Hall
Horn

Carr
Dieleman
Gettings
Hester
Hulse

Hultman	Husak	Hutchins	Jensen
Junkins	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, none.

Absent or not voting, 10:

Brown	Gallagher	Kinley	Lind
Readinger	Rife	Rodgers	Schwengels
Slater	Welsh		

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 Lind for the day on request of Senator Hultman.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2187.

Senate File 2187

On motion of Senator Priebe, Senate File 2187, a bill for an act to establish a meat export technology and policy research center at Iowa state university of science and technology, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2187) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman

Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A. V.	Miller, C. P.	Nystrom	Palmer
Priebe	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gallagher	Lind	Readinger	Schwengels
Slater			

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

BILL REFERRED TO COMMITTEE (Point of Order)

Senator Junkins raised the point of order that Senate File 2205 be referred to the committee on Finance under Senate Rule 38.

The Chair ruled the point well taken and Senate File 2205 was referred from the Regular Calendar to the committee on Finance.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2180.

Senate File 2180

On motion of Senator Colton, Senate File 2180, a bill for an act relating to the publication of warrants and compensation by a school district, was taken up for consideration.

Senator Vande Hoef asked and received unanimous consent that further action on Senate File 2180 be deferred.

UNFINISHED BUSINESS
(Deferred February 17, 1984)

Senate File 2181

The Senate resumed consideration of Senate File 2181, a bill for an act relating to reimbursement of law enforcement officer training costs incurred by cities, deferred on February 17, 1984.

Senator Welsh asked and received unanimous consent that further action on Senate File 2181 be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2117.

Senate File 2117

On motion of Senator Anderson, Senate File 2117, a bill for an act relating to solicitation of charitable contributions from state officers and employees, with report of committee recommending passage, was taken up for consideration.

Senator Anderson offered amendment S—5142 filed by him on February 17, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5142 was adopted by a voice vote.

Senator Small asked and received unanimous consent that further action on Senate File 2117 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2116.

Senate File 2116

On motion of Senator Jensen, Senate File 2116, a bill for an act to provide resale rights to a holder of a farm implements or parts franchise upon termination of the franchise, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jensen offered amendment S—5132 filed by the committee on Commerce on February 16, 1984, to pages 2 and 4 of the bill and moved its adoption.

Amendment S—5132 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that further action on Senate File 2116 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 140.

House File 140

On motion of Senator Slater, House File 140, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor and making it effective upon publication, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Slater offered amendment S—5133 filed by the committee on State Government on February 16, 1984, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5133 was adopted by a voice vote.

With the adoption of amendment S—5133, the Chair ruled amendment S—3202 filed by Senator Holden on March 9, 1983, to page 1 of the bill, out of order.

Senator Slater offered amendment S—5143 filed by Senators Slater and Holden on February 21, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5143 was adopted by a voice vote.

Senator Gentleman offered amendment S—5148 filed by her from the floor to page 3 and the title page of the bill and moved its adoption.

Amendment S—5148 was adopted by a voice vote.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 140) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gallagher	Lind	Mann
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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 2117

The Senate resumed consideration of Senate File 2117, previously deferred.

Senator Small offered amendment S—5149 filed by Senators Small and Anderson from the floor to page 1 of the bill and moved its adoption.

Amendment S—5149 was adopted by a voice vote.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2117) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery

Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gallagher	Lind	Mann
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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 2116

The Senate resumed consideration of Senate File 2116, previously deferred.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2116) the vote was:

Ayes, 40:

Anderson	Briles	Brown	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Husak
Hutchins	Jensen	Junkins	Miller, A.V.
Miller, C.P.	Nystrom	Priebe	Rife
Ritsema	Rodgers	Schwengels	Slater
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 6:

Bruner	Gentleman	Kinley	Palmer
Readinger	Small		

Absent or not voting, 4:

Gallagher

Hultman

Lind

Mann

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 Hutchins asked and received unanimous consent to take up for consideration Senate File 7.

Senate File 7

On motion of Senator Holden, Senate File 7, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees, with report of committee recommending passage, was taken up for consideration.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 7) the vote was:

Ayes, 46:

Anderson
Carr
Dieleman
Gettings
Hester
Hulse
Junkins
Nystrom
Rife
Slater
Tieden
Wells

Briles
Coleman
Doyle
Goodwin
Holden
Husak
Kinley
Palmer
Ritsema
Small
Vande Hoef
Welsh

Brown
Colton
Drake
Gratias
Holt
Hutchins
Miller, A.V.
Priebe
Rodgers
Soorholtz
Van Gilst

Bruner
Deluhery
Gentleman
Hall
Horn
Jensen
Miller, C.P.
Readinger
Schwengels
Taylor
Waldstein

Nays, none.

Absent or not voting, 4:

Gallagher

Hultman

Lind

Mann

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2169.

Senate File 2169

On motion of Senator Coleman, Senate File 2169, a bill for an act including vehicles used to transport agricultural products being pulled by a tractor as implements of husbandry, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2169) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nyström	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

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

INTRODUCTION OF BILL

Senate File 2211, by Jensen and Gentleman, a bill for an act to provide a deterrent to persons operating a motor vehicle after

consuming alcohol by declaring certain acts illegal and establishing penalties.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 11:20 a.m., until 5:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 5:05 p.m., Senator Hultman 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 February 21, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 442, a bill for an act relating to access to library records by criminal justice agencies (S—5152.)

ALSO: That the House has on February 21, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 456, a bill for an act relating to expenditures for a local, nonprofit historical society or municipally-owned historical projects.

This bill was read first time and **passed on file.**

House File 540, a bill for an act relating to chapter 91A.

This bill was read first time and **passed on file.**

House File 2129, a bill for an act relating to the violation of a custodial order, and applying a penalty.

This bill was read first time and **passed on file.**

House File 2172, a bill for an act relating to the surety bond required for an employment agency license.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 2212, by Committee on State Government, a bill for an act relating to pay scale standards for members of the Iowa national guard.

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

Senate File 2213, by Committee on Natural Resources, a bill for an act relating to the authority of the department of water, air and waste management over waste water disposal systems.

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

Senate File 2214, by Committee on Natural Resources, a bill for an act relating to the regulation of hazardous waste and subjecting violators to a civil penalty.

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

Senate File 2215, by Committee on Education, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt for the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract.

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

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate File 487** be withdrawn from further consideration of the Senate.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Thursday, February 23, 1984, when the final vote was taken on Senate Files 2183 and 2187.

Had I been present, I would have voted "aye" on these bills.

DAVID M. READINGER

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 140 passed the Senate on February 23, 1984.

ARTHUR A. SMALL, JR.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5133 to House File 140 was adopted by the Senate on February 23, 1984.

ARTHUR A. SMALL, JR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2117 passed the Senate on February 23, 1984.

ARTHUR A. SMALL, JR.

MR. PRESIDENT: I move to reconsider the votes by which amendments S—5149 and 5142 to Senate File 2117 were adopted by the Senate on February 23, 1984.

ARTHUR A. SMALL, JR.

STUDY BILLS RECEIVED

S.S.B. 2215 Small Business & Economic Development

Permitting the deposit of a credit union share draft as security on a bid for a contract for a public improvement.

S.S.B. 2216 Labor and Industrial Relations

Relating to the payment of workers' compensation benefits in pneumoconiosis cases.

S.S.B. 2217 State Government

Relating to the state employee suggestion system.

S.S.B. 2218 State Government

To provide for the establishment of a phased retirement incentive program for full-time state employees.

S.S.B. 2219 Labor and Industrial Relations

Relating to reductions in sick leave, vacation leave, or compensatory time entitlements upon electing to supplement weekly workers' compensation benefits with such entitlements.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2204	State Government
S. F.	2205	Finance
S. F.	2206	Judiciary
S. F.	2207	State Government
S. F.	2208	Transportation
S. F.	2209	Transportation
S. F.	2210	Ways and Means
S. F.	2211	Judiciary
H.F.	2194	Local Government
H.F.	2265	Education

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH**

Convened: February 22, 1984, 9:30 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Reports and budget presentations from Riverview Release Center, Halfway Houses, Parole Services and Community Based Corrections.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 22, 1984, 9:50 a.m.

Members Present: Husak, Chair; Colton, Vice Chair; Readinger, Ranking Member (arrived 10:00 a.m.); A. Miller and Rife.

Members Absent: none.

Other Committee Business: Dr. James Hanson presented information on the Department of Health's division of birth defects registry; Representative Buhr made a presentation on the proposed language of Section 147.18, Code 1983, concerning Senate File 161.

Adjourned: 10:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 22, 1984, 9:48 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: none.

Other Committee Business: Fran Van Winkle, director of Merit Employment, presented their budget request; approved LSB 4094H 70 as a committee bill.

Adjourned: 11:18 a.m.

EDUCATION

Convened: February 22, 1984, 3:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind and Gallagher (both excused.)

Final Bill Action: SENATE FILE 2215 (SSB 2041) a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Anderson, Gratiass, Colton, Horn, Ritsema and Wells. Nays, 1: Taylor. Absent or not voting, 2: Lind and Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:47 p.m.

FINANCE

Convened: February 23, 1984, 11:22 a.m. Recessed and reconvened at 2:55 p.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair (arrived 11:32 a.m.); Hultman, Ranking Member (arrived 2:55 p.m.), Holden, Junkins, Palmer, Small and Tieden.

Members Absent: none.

Final Bill Action: SENATE FILE 2205, a bill for an act relating to the fees for the registration of vessels.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Rodgers, Hutchins, Hultman, Junkins, Small and Tieden. Nays, 2: Holden and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 3:10 p.m.

HUMAN RESOURCES

Convened: February 22, 1984, 2:35 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Gratiass, Hall, Horn, Mann, Ritsema and Soorholtz.

Members Absent: Slater.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:45 p.m.

JUDICIARY

Convened: February 22, 1984, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: none.

Final Bill Action: SENATE FILE 517, a bill for an act relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5147.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: February 23, 1984, 8:03 a.m.

Members Present: A. Miller, Chair; Briles, Vice Chair; Wells, Ranking Member; Colton, Goodwin, C. Miller, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: HOUSE FILE 4, a bill for an act relating to the definition of a parcel of land in relation to fees charged by county auditors for transfers made in the transfer books.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5151.

Final Vote: Ayes, 7: A. Miller, Wells, Briles, Colton, Goodwin, Vande Hoef and Waldstein. Nays, 1: C. Miller. Absent or not voting, 2: Brown and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; deferred action on SSB 2174.

Adjourned: 8:19 a.m.

NATURAL RESOURCES

Convened: February 22, 1984, 8:00 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Doyle, Gettings, Goodwin, Hall, Hester (arrived 8:02 a.m.), Priebe and Rife.

Members Absent: Schwengels, Ranking Member.

Final Bill Action: SENATE FILE 2213 (SSB 2015), a bill for an act relating to the authority of the department of water, air and waste management over waste water disposal systems.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 9: Van Gilst, Rodgers, Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2214 (SSB 2013), a bill for an act relating to the regulation of hazardous waste and subjecting violators to a civil penalty.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 8: Van Gilst, Rodgers, Doyle, Gettings, Goodwin, Hall, Priebe and Rife. Nays, none. Absent or not voting, 2: Schwengels and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:56 a.m.

STATE GOVERNMENT

Convened: February 22, 1984, 3:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Schwengels (excused.)

Final Bill Action: SENATE FILE 2212 (SSB 2098), bill for an act relating to pay scale standards for members of the Iowa national guard.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Schwengels, Drake and Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; ordered SSBs 183 and 2194 redrafted as committee bills.

Adjourned: 4:30 p.m.

WAYS AND MEANS

Convened: February 23, 1984, 3:30 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Carr, Deluhery, Dieleman, Gratias, Hester, Holtz, Rodgers, Soorholtz and Van Gilst.

Members Absent: Brown, Readinger and Small.

Final Bill Action: SENATE FILE 2156, a bill for an act relating to the administration of the extraordinary property tax credit or reimbursement.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Holden, Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Soorholtz, Rodgers and Van Gilst. Nays, none. Absent or not voting, 3: Brown, Readinger and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:40 p.m.

AMENDMENTS FILED

S—5147	S. F.	517	Judiciary
S—5148	H.F.	140	Julia Gentleman
S—5149	S. F.	2117	Arthur A. Small, Jr. Ted Anderson
S—5150	S. F.	2160	Calvin O. Hultman Ted Anderson

S—5151	H.F.	4	Local Government
S—5152	S. F.	442	House Amendment
S—5153	S. F.	2180	Joe Brown

STUDY BILL RECEIVED

S.S.B. 2215 Commerce

Relating to charges by small loan and industrial loan licensees by providing for a bad check charge, authorizing industrial loan licensees to collect an appraisal fee on loans secured by a mortgage and requiring industrial loan licensees to pay interest on funds held in escrow in connection with a single-family or two-family home loan.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:10 p.m., until 9:00 a.m., Friday, February 24, 1984.

JOURNAL OF THE SENATE

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FORTY-SEVENTH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 24, 1984

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

Prayer was offered by the Reverend Orrin Potter, pastor of the Aldersgate United Methodist Church, Urbandale, Iowa.

The Journal of Thursday, February 23, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Husak for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 2216, by Palmer, a bill for an act relating to the apportionment of tax revenue by the county treasurer.

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

QUORUM CALL

Senator Junkins 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 AMENDMENT CONSIDERED

Senate File 442

Senator Coleman called up for consideration Senate File 442, a bill for an act relating to access to library records by criminal justice agencies, amended by the House, and moved that the Senate concur in House amendment S—5152 filed February 23, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Coleman moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 442) the vote was:

Ayes, 41:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Doyle	Drake	Gallagher	Husak
Junkins	Lind	Readinger	Schwengels
Welsh			

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 Hultman called up the motion to reconsider Senate File 2160 filed by him on February 13, 1984, found on page 402 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2160) the vote was:

Ayes, 41:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman

Doyle	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A. V.	Miller, C. P.	Nystrom
Palmer	Priebe	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, 1:

Tieden

Absent or not voting, 8:

Brown	Drake	Gallagher	Husak
Lind	Readinger	Schwengels	Welsh

The motion prevailed.

Senator Hultman moved to reconsider the vote by which Senate File 2160 went to its last reading, which motion prevailed by a voice vote.

Senate File 2160

On motion of Senator Wells, Senate File 2160, a bill for an act to provide a preference for residents in awarding of public contracts in certain situations, was taken up for reconsideration.

Senator Hultman offered amendment S—5150 filed by Senators Hultman and Anderson on February 23, 1984, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5150 was adopted by a voice vote.

With the adoption of amendment S—5150, the Chair ruled amendment S—5140 filed by Senators Hultman and Anderson on February 17, 1984, to strike everything after the enacting clause of the bill, out of order.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2160) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gallagher	Husak	Lind	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.

UNFINISHED BUSINESS (Deferred February 23, 1984)

Senate File 2180

The Senate resumed consideration of Senate File 2180, a bill for an act relating to the publication of warrants and compensation by a school district, deferred on February 23, 1984.

Senator Brown offered amendment S—5153 filed by him on February 23, 1984, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5153 was adopted by a voice vote.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2180) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery

Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gallagher	Husak	Lind	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.

Senator Gentleman took the chair at 9:35 a.m.

UNFINISHED BUSINESS (Deferred February 23, 1984)

Senate File 2181

The Senate resumed consideration of Senate File 2181, a bill for an act relating to reimbursement of law enforcement officer training costs incurred by cities, deferred on February 23, 1984.

Senator Welsh asked and received unanimous consent that further action on Senate File 2181 be deferred.

MOTION TO RECONSIDER ADOPTED

Senator Small called up the motion to reconsider Senate File 2117 filed by him on February 23, 1984, found on page 519 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2117) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman

Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 6:

Briles	Gallagher	Hester	Husak
Lind	Schwengels		

The motion prevailed.

Senator Small moved to reconsider the vote by which Senate File 2117 went to its last reading, which motion prevailed by a voice vote.

Senate File 2117

On motion of Senator Anderson, Senate File 2117, a bill for an act relating to solicitation of charitable contributions from state officers and employees, was taken up for reconsideration.

Senator Small called up the motion to reconsider the vote by which amendment S—5149 was adopted by the Senate on February 23, 1984, filed by him on February 23, 1984, found on page 519 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5149 by Senators Small and Anderson to page 1 of the bill, was taken up for reconsideration.

Senator Small asked and received unanimous consent that action on amendment S—5149 be deferred.

Senator Small called up the motion to reconsider the vote by which amendment S—5142 was adopted by the Senate on February 23, 1984, found on page 519 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5142 by Senator Anderson to page 1 of the bill, was taken up for reconsideration.

Senator Small asked and received unanimous consent that action on amendment S—5142 be deferred.

Senator Small offered amendment S—5154 filed by Senators Anderson and Small from the floor to page 1 of the bill and moved its adoption.

Amendment S—5154 was adopted by a voice vote.

With the adoption of amendment S—5154, the Chair ruled amendments S—5142 and S—5149 to page 1 of the bill, previously deferred, out of order.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2117) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gallagher	Goodwin	Husak	Lind
Vande Hoef			

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 2217, by Committee on Natural Resources, a bill for an act establishing uniform enforcement remedies for the department of water, air and waste management, and imposing civil penalties.

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

Senate File 2218, by Readinger, a bill for an act allowing the use of year of production registration plates.

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

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

The Senate resumed session, President pro tempore Miller 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 February 21, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 189, a bill for an act requiring state banks, private banks and state savings and loan associations to acquire and maintain account insurance on their deposits.

This bill was read first time and **passed on file**.

House File 205, a bill for an act relating to the eligibility of property owners to protest changes in zoning districts.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2219, by Waldstein, Brown and Gratias, a bill for an act to provide additional weighting under the state school foundation plan for certain early elementary school pupils.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 2118

Transportation
(Additional Members)
Drake
Jensen

SENATE FILE 2162

Labor & Industrial Relations
Anderson, Chair
Hultman
Hutchins

SENATE FILE 2171

Natural Resources
Van Gilst, Chair
Rodgers
Schwengels

SENATE FILE 2186

Judiciary
Ritsema, Chair
Deluhery
Welsh

SENATE FILE 2191

Transportation
Priebe, Chair
Jensen
Drake

SENATE FILE 2193

Energy
C. Miller, Chair
Bruner
Hulse

SENATE FILE 2195

Human Resources
Hall, Chair
Coleman
Soorholtz

SENATE FILE 2147

Agriculture
Hutchins, Chair
A. Miller
Waldstein

SENATE FILE 2166

Agriculture
Hutchins, Chair
Taylor
A. Miller

SENATE FILE 2179

Transportation
Hall, Chair
Doyle
Lind

SENATE FILE 2189

Agriculture
A. Miller, Chair
Taylor
Husak

SENATE FILE 2192

Commerce
Priebe, Chair
Bruner
Tieden

SENATE FILE 2194

Transportation
Doyle, Chair
Priebe
Lind

SENATE FILE 2196

Local Government
Mann, Chair
Brown
Goodwin

SENATE FILE 2197

Local Government
Waldstein, Chair
C. Miller
Wells

SENATE RESOLUTION 104

Rules & Administration
Hutchins, Chair
Anderson
Kinley

SENATE RESOLUTION 106

Agriculture
Van Gilst, Chair
Vande Hoef
Heater

HOUSE FILE 266

Transportation
Drake, Chair
Hall
Jensen

HOUSE FILE 580

State Government
Welsh, Chair
C. Miller
Nystrom

HOUSE FILE 2031

Labor & Industrial Relations
Gettings, Chair
Wells
Jensen

HOUSE FILE 2071

Transportation
Doyle, Chair
Priebe
Jensen

HOUSE FILE 2126

State Government
Gettings, Chair
Dieleman
Soorholtz

**SENATE CONCURRENT
RESOLUTION 105**

Labor & Industrial Relations
Colton, Chair
Slater
Hulse

SENATE RESOLUTION 105

Rules & Administration
Hutchins, Chair
Hultman
Junkins

**HOUSE JOINT
RESOLUTION 2002**

Rules & Administration
Hultman, Chair
Kinley
Junkins

HOUSE FILE 378

State Government
Bruner, Chair
Briles
Slater

HOUSE FILE 2019

Labor & Industrial Relations
Colton, Chair
Slater
Vande Hoef

HOUSE FILE 2067

State Government
Gettings, Chair
Coleman
Nystrom

HOUSE FILE 2095

State Government
Dieleman, Chair
Rife
Welsh

HOUSE FILE 2189

State Government
Dieleman, Chair
Gettings
Soorholtz

HOUSE FILE 2202

Transportation
Coleman, Chair
Jensen
Priebe

HOUSE FILE 2263

Commerce
Palmer, Chair
Bruner
Jensen

SSB 2197

Transportation
Drake, Chair
Nystrom
Coleman

SSB 2199

State Government
Coleman, Chair
Rife
Soorholtz

SSB 2201

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SSB 2203

Judiciary
Mann, Chair
Drake
Horn

SSB 2205

Small Business &
Economic Development
Rodgers, Chair
Hutchins
Hulse

SSB 2207

Commerce
Deluhery, Chair
Bruner
Tieden

HOUSE FILE 2232

Transportation
Welsh, Chair
Doyle
Nystrom

SSB 2196

Transportation
Welsh, Chair
Drake
Hall

SSB 2198

Human Resources
Slater, Chair
Soorholtz
Horn

SSB 2200

State Government
Coleman, Chair
Rife
Soorholtz

SSB 2202

Judiciary
Ritsema, Chair
Mahn
Doyle

SSB 2204

Education
Colton, Chair
Ritsema
Wells

SSB 2206

Local Government
C. Miller, Chair
Briles
Wells

SSB 2208

State Government
Slater, Chair
Drake
Welsh

SSB 2213

Human Resources
Horn, Chair
Gratias
C. Miller

SSB 2215

Small Business &
Economic Development
Anderson, Chair
Taylor
Doyle

SSB 2214

Education
Horn, Chair
Wells
Ritsema

LSB 4054H

Local Government
A. Miller, Chair
Briles
Wells

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2216	Local Government
H.F.	456	Local Government
H.F.	540	Labor and Industrial Relations
H.F.	2129	Judiciary
H.F.	2172	Labor

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Friday February 24, 1984, when the final vote was taken on Senate File 442.

Had I been present, I would have voted "aye" on this bill.

DAVID M. READINGER

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 24 1984, the Governor approved and transmitted to the Secretary of the State the following bills:

S.F. 159—Authorizing the establishment and maintenance of an emergency warning system within townships having a common boundary with a city having population of one hundred eighty thousand or more.

S.F. 2050—Relating to the election and terms of office of sanitary district trustees

STUDY BILLS RECEIVED

S.S.B. 2221 Education

Allowing employees of area education agencies, school corporations, merged area schools, and regional library systems to use school credit cards upon authorization by their respective boards.

S.S.B. 2222 Transportation

Relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations.

S.S.B. 2223 Commerce

Relating to the supervision, rehabilitation, and liquidation of insurance companies and providing penalties.

S.S.B. 2224 Human Resources

Relating to administrative procedures for the establishment, determination, and collection of certain child support debts.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 23, 1984, 8:04 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Holden, Nystrom, Palmer and Tieden.

Members Absent: Gallagher (excused.)

Other Committee Business: Discussed the interstate banking bill; assigned bills to subcommittees.

Adjourned: 8:52 a.m

COMMERCE

Convened: February 24, 1984, 10:11 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Holden, Nystrom, Palmer and Tieden.

Members Absent: Gallagher (excused.)

Final Bill Action: SENATE FILE 2135, a bill for an act relating to electric transmission line, wire, or cable franchises and making civil penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Holden, Nystrom, Palmer and Tieden. Nays, none. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2263, a bill for an act to regulate interest rates on life insurance policy loans.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Priebe, Jensen, Bruner, Holden, Nystrom, Palmer and Tieden. Nays, 1: Deluhery. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned SSB 2223 and House File 2065 to subcommittees.

Adjourned: 10:39 a.m.

JUDICIARY

Convened: February 23, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn, Welsh and Deluhery.

Members Absent: Drake and Small.

Final Bill Action: SENATE FILE 2101, a bill for an act relating to the commitment of children beyond their eighteenth birthday to the state training school.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 4: Deluhery, Drake, Small and Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2173, a bill for an act relating to appeals of awards by compensation commissions in condemnation proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Gentleman, Briles, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 3: Deluhery, Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved SSB 2134 as amended and ordered redrafted as a committee bill; SSB unnumbered "D", SSB 2202 and SSB 2085 approved and ordered redrafted as committee bills; Senate Files 32, 2018 and 2163 approved as amended; House File 316 failed recommendation for passage.

Adjourned: 5:05 p.m.

NATURAL RESOURCES

Convened: February 24, 1984, 8:51 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Doyle, Gettings, Goodwin, Hall and Hester.

Members Absent: Schwengels, Ranking Member; Priebe and Rife.

Final Bill Action: SENATE FILE 2217 (SSB 2014), a bill for an act establishing uniform enforcement remedies for the department of water, air and waste management, and imposing civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Van Gilst, Rodgers, Doyle, Gettings, Goodwin, Hall and Hester. Nays, none. Absent or not voting, 3: Schwengels, Priebe and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:53 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 23, 1984, 1:00 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Grattias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers.

Members Absent: Anderson and Lind (both excused.)

Other Committee Business: Presentations by Bob Gatton, Oskaloosa, Iowa, and Donald C. Byers, General Counsel and Secretary of Maytag Co., Newton, Iowa; assigned bills to subcommittees; approved SSBs 2113, 2114, 2115 and 2151.

Adjourned: 2:15 p.m.

PRESENTATIONS OF VISITORS

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

Seventeen students from Victory Christian School, Greston, Iowa, accompanied by Arla Ford. Senator Briles.

AMENDMENTS FILED

S—5154	S. F.	2117	Ted Anderson Arthur A. Small, Jr.
S—5155	S. F.	2136	Edgar H. Holden Arthur A. Small, Jr.
S—5156	H.F.	140	Arthur A. Small, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:16 p.m., until 10:00 a.m., Monday, February 27, 1984.

JOURNAL OF THE SENATE

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FIFTIETH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 27, 1984

The Senate met in regular session at 10:00 a.m., President Anderson presiding.

Prayer was offered by the Reverend Lyle Ball, pastor of the Greenfield Plaza United Methodist Church, Des Moines, Iowa.

The Journal of Friday, February 24, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lind and Schwengels for the day on request of Senator Hultman.

INTRODUCTION OF BILL

Senate File 2220, by Committee on Commerce, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions.

Read first time and placed on calendar.

MOTION TO RECONSIDER ADOPTED

Senator Small called up the motion to reconsider House File 140 filed by him on February 23, 1984, found on page 519 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 140) the vote was:

Ayes, 41:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holt	Horn	Hultman	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Van Gilst	Waldstein	Wells
Welsh			

Nays, 3:

Deluhery	Holden	Tieden
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Absent or not voting, 6:

Briles	Hulse	Husak	Lind
Schwengels	Vande Hoef		

The motion prevailed.

Senator Small moved to reconsider the vote by which House File 140 went to its last reading, which motion prevailed by a voice vote.

House File 140

On motion of Senator Slater, House File 140, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor and making it effective upon publication, was taken up for reconsideration.

Senator Small called up the motion to reconsider the vote by which amendment S—5133 to House File 140 was adopted by the Senate on February 23, 1984, filed by him on February 23, 1984, and found on page 519 of the Senate Journal.

Senator Holden asked and received unanimous consent that further action on **House File 140** and the motion to reconsider by Senator Small be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2014.

Senate File 2014

On motion of Senator Bruner, Senate File 2014, a bill for an act to establish limits to the amount of money a candidate's committee can accept from a political committee, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Slater withdrew amendment S—5129 filed by him on February 16, 1984, to page 1 of the bill.

Senator Colton asked and received unanimous consent that further action on Senate File 2014 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 517.

Senate File 517

On motion of Senator Readinger, Senate File 517, a bill for an act relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gentleman offered amendment S—5147 filed by the committee on Judiciary on February 23, 1984, to strike everything after the enacting clause of the bill.

Senator Welsh asked and received unanimous consent that further action on amendment S—5147 and Senate File 517 be deferred.

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 February 22, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2164, a bill for an act relating to the duties and responsibilities of a peace officer to a victim of domestic abuse, providing a penalty and requiring the department of public safety to submit a proposal to the general assembly by January 15, 1985 for the collection of domestic violence data and statistics to be disseminated to the department of human services.

This bill was read first time and passed on file.

House File 2264, a bill for an act relating to access by a noncustodial parent to information concerning the child.

This bill was read first time and passed on file.

ALSO: That the House has on February 24, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2347, a bill for an act relating to the appropriation of funds for the construction of a new state historical building and providing effective dates.

This bill was read first time and referred to the committee on Appropriations.

INTRODUCTION OF BILL

Senate File 2221, by Committee on Agriculture, a bill for an act relating to tests and standards for motor vehicle fuel.

Read first time and placed on calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:50 a.m. until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., Senator Bruner presiding

INTRODUCTION OF BILLS

Senate File 2222, by Committee on State Government, a bill for an act allowing a city to redraw precinct lines when adopting a system which provides for election of council members from wards or when changing the number of council members who are elected from wards.

Read first time and placed on calendar.

Senate File 2223, by Committee on Judiciary, a bill for an act relating to the maximum fine assessable upon the conviction of a class "C" or class "D" felony.

Read first time and placed on calendar.

Senate File 2224, by Committee on Judiciary, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property.

Read first time and placed on calendar.

Senate File 2225, by Committee on Small Business and Economic Development, a bill for an act relating to the making of an appropriation to carry out the program to aid communities in developing festivals and other tourist attractions.

Read first time and referred to the committee on Appropriations.

Senate File 2226, by Committee on Small Business and Economic Development, a bill for an act increasing the bonding capacity of the Iowa housing finance authority and its small business loan program.

Read first time and referred to the committee on Appropriations.

Senate File 2227, by Committee on Small Business and Economic Development, a bill for an act relating to the granting of tax credits to business firms which invest in programs providing community services, crime prevention, education and job training to individuals, or neighborhood assistance.

Read first time and referred to the committee on Ways and Means.

Senate File 2228, by Committee on Local Government, a bill for an act prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home.

Read first time and placed on calendar.

APPENDIX

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5132 to Senate File 2116, the following technical correction was made:

1. Page 1, lines 4, 8, and 12, "franchisor" was changed to "franchiser".

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5150 to Senate File 2160, the following technical correction was made:

1. Page 1, line 29, "publiction" was changed to "publication".

K. MARIE THAYER
Secretary of the Senate

FURTHER REPORTS OF COMMITTEE MEETINGS

COMMERCE*

*A previous report of this meeting was recorded on pages 539-540 of the Senate Journal.

Final Bill Action: SENATE FILE 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Kinley, Bruner, Deluhery, Holden, Nystrom and Palmer. Nays, 3: Priebe, Jensen and Tieden. Absent or not voting, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on page 541 of the Senate Journal.

Final Bill Action: SENATE FILE 32, a bill for an act to prohibit the recording of speeding tickets for certain violations fifteen miles per hour or less over the posted limit, subject to a penalty provided by law.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5161.

Final Vote: Ayes, 8: Doyle, Mann, Coleman, Dieleman, Goodwin, Holt, Horn and Welsh, Nays, 3: Ritsema, Drake and Gentleman. Absent or not voting, 3: Deluhery, Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2163, a bill for an act relating to the definition of "best interest of the child" during dissolution proceedings.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5160.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Goodwin, Holt, Horn and Welsh. Nays, 1: Gentleman. Absent or not voting, 3: Drake, Small and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on page 523 of the Senate Journal.

Final Bill Action: SENATE FILE 2223 (SSB 2153), a bill for an act relating to the maximum fine assessable upon the conviction of a class "C" or class "D" felony.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on page 389 of the Senate Journal.

Final Bill Action: SENATE FILE 2224 (SSB 146), a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Briles, Dieleman, Drake, Gentleman, Holt, Goodwin and Welsh. Nays, 6: Mann, Ritsema, Coleman, Deluhery, Horn and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS & ECONOMIC DEVELOPMENT*

*A previous report of this meeting was recorded on page 542 of the Senate Journal.

Final Bill Action: SENATE FILE 2225 (SSB 2113), a bill for an act relating to the making of an appropriation to carry out the program to aid communities in developing festivals and other tourist attractions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Husak, Doyle, Taylor, Hutchins, Mann, A. Miller and Rodgers. Nays, 3: Gratias, Hulse and Readinger, Absent or not voting, 2: Anderson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2226 (SSB 2151), a bill for an act increasing the bonding capacity of the Iowa housing finance authority and its small business loan program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Husak, Doyle, Taylor, Gratias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers. Nays, none. Absent or not voting, 2: Anderson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2227 (SSB 2114), a bill for an act relating to the granting of tax credits to business firms which invest in programs providing community services, crime prevention, education and job training to individuals, or neighborhood assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Husak, Doyle, Taylor, Gratias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers. Nays, none. Absent or not voting, 2: Anderson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

S.S.B. 2138A State Government
(S.S.B. 2138 was amended to become S.S.B. 2138A.)

To allow the Iowa beer and liquor control department to establish by rule fines up to three thousand dollars to be levied against licensees and permittees for violations of the law.

S.S.B. 2225 Human Resources

Relating to the protection of children by amending Iowa's child abuse law, child-in-need-of-assistance law, and criminal code provisions relating to crimes against children.

S.S.B. 2226 State Government

Relating to access to records by the legislative fiscal bureau.

S.S.B. 2227 State Government

Relating to the administration and benefits of certain public retirement systems, to make an appropriation, and to provide a penalty.

S.S.B. 2228 Human Resources

Relating to child day care by requiring family or group day care providers to report child abuse, permitting a peace officer to remove a child from a child day care facility under certain circumstances, permitting child care financial assistance funds to go to group day care homes and family day care homes, requiring the department of human services to acknowledge certain child abuse violations and violations of registration or licensure by a day care facility and to compile lists of facilities in a local area, amending the definition of a family day care home, requiring registration of family day care homes but maintaining current standards, requiring annual inspections or visits to group and family day care homes, expanding injunctive authority to family day care homes, and establishing fees and penalties.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2218	Transportation
S.F.	2219	Education
H.F.	205	Local Government
H.F.	2164	Judiciary
H.F.	2264	Judiciary

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 22, 1984, 2:31 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein.

Members Absent: Gallagher (excused) and Husak.

Final Bill Action: SENATE FILE 2221 (SSB 2150), a bill for an act relating to standards for motor vehicle fuel.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 8: Priebe, Van Gilst, Hester, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Gallagher and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 2:47 p.m.

HUMAN RESOURCES

Convened: February 24, 1984, 11:30 a.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Hall, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: Gratias (excused.)

Final Bill Action: SENATE FILE 409, a bill for an act relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2170, a bill for an act relating to duties and responsibilities of probation officers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; discussed SSBs 2078 and 2224.

Adjourned: 11:55 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 27, 1984, 1:40 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair (arrived 1:50 p.m.); Hulse, Ranking Member; Colton, Gettings, Hultman (arrived 2:00 p.m.), Hutchins, Jensen, Vande Hoef and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 301, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5167.

Final Vote: Ayes, 7: Anderson, Slater, Hulse, Colton, Gettings, Hutchins and Wells. Nays, 3: Hultman, Jensen and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2019, a bill for an act to protect state employees from personnel actions as reprisals for providing information to legislators or disclosing waste, mismanagement, or violations of law, and subjecting violators to a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Anderson, Slater, Hulse, Colton, Gettings, Hutchins, Jensen, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2031, a bill for an act stipulating collective bargaining representation for employees of a district board of correctional services.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Anderson, Slater, Hulse, Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved Senate File 301, with amendment, and House File 2031; SSB 2219 as amended ordered redrafted as a committee bill; assigned bills to subcommittees.

Adjourned: 2:15 p.m.

LOCAL GOVERNMENT

Convened: February 24, 1984, 8:03 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown, Colton, Goodwin, Mann, C. Miller, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: SENATE FILE 2228, a bill for an act prohibiting zoning regulations or other ordinances which disallow plans and specifications or a proposed residential dwelling solely because the proposed dwelling is a manufactured home.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: A. Miller, Wells, Briles, Brown, Goodwin, Mann, C. Miller and Waldstein. Nays, 2: Colton and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:38 a.m.

STATE GOVERNMENT

Convened: February 24, 1984, 10:50 a.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Soorholtz, Schwengels and Welsh.

Members Absent: none.

Final Bill Action: SENATE FILE 2121, a bill for an act relating to the establishment of a state historical building code.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5166.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Dieleman, Gettings, C. Miller, Rife, Soorholtz, Schwengels and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2164, a bill for an act relating to the membership of the Iowa public broadcasting board.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Briles, Bruner, Dieleman, Coleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2222 (SSB 2192), a bill for an act allowing a city to redraw precinct lines when adopting a system which provides for election of council members from wards or when changing the number of council members who are elected from wards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Dieleman, Gettings, C. Miller, Rife, Soorholtz, Schwengels and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 257, a bill for an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Slater, Carr, Nystrom, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Soorholtz, Schwengels, Welsh, Briles and Bruner. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; ordered SSB 2217 redrafted as a committee bill; deferred action on House File 529 and SSBs 156 and 270.

Adjourned: 11:25 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Dieleman from twenty-three residents of Jasper County favoring legislation declaring killer snares illegal in the taking of game animals.

Senator Hester from three hundred sixteen residents of Pottawattamie County opposing the agriculture formula and other methods and techniques used by the Iowa Director of Revenue and the property tax division of the Iowa Department of Revenue in determining the equalization orders on agriculture property, commercial property, and residential property in the state of Iowa.

Senator Readinger from twenty-two residents of Polk County opposing legislation repealing S.J.R. 1 adopted in 1979, calling upon Congress to convene a national constitutional convention to propose an amendment to the U.S. Constitution which would require a federal balanced budget.

The following petitions favoring legislation prohibiting the treasurer of State, department of job service, and state board of regents from depositing or investing or depositing state assets from the Iowa public employees' retirement fund in financial institutions making loans to the government of the Republic of South Africa were presented and placed on file by:

Senator Soorholtz from two hundred forty-seven residents of Winneshiek County.

Senator Carr from two hundred forty-seven residents of Winneshiek County.

PRESENTATION OF VISITORS

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

Twenty-five students from Pomeroy Elementary School, Pomeroy, Iowa, accompanied by Mr. Charleston. Senator Waldstein.

The following visitors were present in the Senate gallery:

Twenty students from All Saints School, Des Moines, Iowa, accompanied by Mrs. Tracy. Senator Mann.

AMENDMENTS FILED

S-5157	S. F.	2007	Lee W. Holt
S-5158	S. F.	517	Joe Welsh
S-5159	S. F.	2181-	Joe Welsh
			Milo Colton
			Joe Brown
S-5160	S. F.	2163	Judiciary
S-5161	S. F.	32	Judiciary
S-5162	H. F.	140	Arthur A. Small, Jr.
S-5163	S. F.	2014	Milo Colton
			Tom Mann, Jr.
S-5164	S. F.	2014	Milo Colton
			Tom Mann, Jr.
S-5165	S. F.	2014	Milo Colton
			Tom Mann, Jr.

S—5166	S. F.	2121	State Government
S—5167	S. F.	301	Labor & Industrial Relations

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:50 p.m., until 9:00 a.m., Tuesday, February 28, 1984.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 28, 1984

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

Prayer was offered by Father Paul Arts, pastor of the St. Ann's Catholic Church, Vail, Iowa.

The Journal of Monday, February 27, 1984, was approved.

INTRODUCTION OF BILL

Senate File 2229, by Waldstein, a bill for an act to establish a system for evaluation of teachers in public schools.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

President Anderson announced that House File 2347 was referred from the Appropriations Calendar to the committee on Finance under Senate Rule 38.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:08 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Anderson 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 February 21, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 590, a bill for an act relating to the requirements that certain buildings be designed by registered architects.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 24, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2089, a bill for an act requiring children under the age of six being transported in certain motor vehicles to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective date (S—5172.)

INTRODUCTION OF BILLS

Senate File 2230, by Committee on Judiciary, a bill for an act relating to the inspection of jails and municipal holding facilities by the Iowa department of corrections.

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

Senate File 2231, by Committee on Human Resources, a bill for an act relating to the findings of a complaint filed against a health care facility.

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

Senate File 2232, by Committee on Commerce, a bill for an act relating to charges by small loan and industrial loan licensees by providing for a bad check charge, authorizing industrial loan licensees to collect an appraisal fee on loans secured by a mortgage and requiring industrial loan licensees to pay interest on funds held in escrow in connection with a single-family or two-family home loan.

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

Senate File 2233, by Committee on Commerce, a bill for an act providing for the transfer of fiduciary accounts among affiliates and between independent banks.

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

Senate File 2234, by Committee on Local Government, a bill for an act relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city.

Read first time and placed on calendar.

Senate File 2235, by Committee on Judiciary, a bill for an act relating to the penalties for operating a motor vehicle when the operator's license has been suspended or revoked.

Read first time and placed on calendar.

Senate File 2236, by Committee on Judiciary, a bill for an act relating to the authority of the Iowa law enforcement academy director and the law enforcement academy council to establish standards of professional conduct and to enforce the standards and requirements.

Read first time and placed on calendar.

Senate File 2237, by Committee on Judiciary, a bill for an act relating to the appointment, terms, retention and qualifications of magistrates.

Read first time and placed on calendar.

Senate File 2238, by Committee on Judiciary, a bill for an act making Code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties.

Read first time and placed on calendar.

Senate File 2239, by Committee on Small Business and Economic Development, a bill for an act relating to the granting of a partial property tax exemption for the actual value added by the new construction of or the improvements to single-family residences.

Read first time and referred to the committee on Ways and Means.

Senate File 2240, by Committee on State Government, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

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 amendment S—5153 to Senate File 2180, the following technical correction was made:

1. Page 1, line 35, "sections" was changed to "section".

K. MARIE THAYER
Secretary of the Senate

FURTHER REPORTS OF COMMITTEE MEETINGS

JUDICIARY*

*A previous report of this meeting was recorded on page 541 of the Senate Journal.

Final Bill Action: SENATE FILE 2018, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5171.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Deluhery, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 3: Briles, Small and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2230 (SSB 2085), a bill for an act relating to the inspection of jails and municipal holding facilities by the Iowa department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn, Welsh and Drake. Nays, none. Absent or not voting, 3: Briles, Small and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2237 (SSB 2202), a bill for an act relating to the appointment, terms, retention and qualifications of magistrates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn and Drake. Nays, 1: Welsh. Absent or not voting, 3: Small, Briles and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2238 (SSB "D"), a bill for an act making Code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 3: Small, Drake and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES*

*A previous report of this meeting was recorded on page 553 of the Senate Journal.

Final Bill Action: SENATE FILE 2231 (SSB 2078), a bill for an act relating to the findings of a complaint filed against a health care facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT*

*A previous report of this meeting was recorded on page 555 of the Senate Journal.

Final Bill Action: SENATE FILE 2234 (SSB 2174), a bill for an act relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: A. Miller, Wells, Briles, Brown, Goodwin, C. Miller, Vande Ho and Waldstein. Nays, 2: Colton and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS & ECONOMIC DEVELOPMENT*

*A previous report of this meeting was recorded on page 542 of the Senate Journal.

Final Bill Action: SENATE FILE 2239 (SSB 2115), a bill for an act relating to the granting of a partial property tax exemption for the actual value added by the new construction of or the improvements to single-family residences.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Husak, Doyle, Taylor, Gratias, Hulse, Hutchins, Mann, Miller, Readinger and Rodgers. Nays, none. Absent or not voting, 2: Anderson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 556-557 of the Senate Journal.

Final Bill Action: SENATE FILE 2240 (SSB 183), a bill for an act relating to the certification and regulation of respiratory care practitioners and providing penalty and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Slater, Carr, Nystrom, Briles, Bruner, Drake, Coleman, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2229	Education
H. F.	590	State Government

STUDY BILLS RECEIVED

S.S.B. 2229 Judiciary

Relating to penalties for obtaining or attempting to obtain prescription drugs by fraudulent means.

S.S.B. 2230 Agriculture

Relating to the valuation of agricultural property for property tax purposes.

S.S.B. 2231 Agriculture

Declaring a state of emergency and imposing a two year moratorium on the foreclosure of real estate mortgages, deeds of trust of real property, contracts for the purchase of real property, and operating loans and loans for personal property when the property is being used for farming or the operation of a small business.

S.S.B. 2232 Appropriations

Relating to the court fees for simple misdemeanor and scheduled violation cases.

S.S.B. 2233 State Government

Relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses.

S.S.B. 2234 Small Business & Economic Development

Permitting a state bank, state savings and loan association, or a service corporation of a state bank for state savings and loan association to engage in real estate brokerage only to the same extent as federally-chartered banks and savings and loan associations.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 27, 1984, 2:38 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair (arrived 2:43 p.m.); Hester, Ranking Member (arrived 2:42 p.m.); Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: SENATE FILE 2189, a bill for an act relating to bacterial and organoleptic milk standards.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, Van Gilst, Hester, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 106, a resolution requesting a change in the national standards for the composition of milk to require a higher milkfat and milk solids-not-fat content.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:50 p.m.

APPROPRIATIONS

Convened: February 27, 1984, 4:50 p.m.

Members Present: Small, Chair; Tieden, Ranking Member; Bruner, Dieleman, Hall, Holt, Horn, Husak, Waldstein, Wells and Welsh.

Members Absent: Palmer, Vice Chair; Carr, Deluhery, Gentleman, Readinger, Lind and Schwengels (both excused.)

Final Bill Action: HOUSE FILE 2347, a bill for an act relating to the appropriation of funds for the construction of a new state historical building and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Small, Tieden, Bruner, Dieleman, Hall, Holt, Horn, Husak, Waldstein, Wells and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 5:00 p.m.

COMMERCE

Convened: February 28, 1984, 8:08 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Gallagher; Holden, Nystrom, Palmer and Tieden.

Members Absent: none.

Final Bill Action: SENATE FILE 2232 (SSB 2220), a bill for an act relating to charges by small loan and industrial loan licensees by providing for a bad check charge, authorizing industrial loan licensees to collect an appraisal fee on loans secured by a mortgage and requiring industrial loan licensees to pay interest on funds held in escrow in connection with a single-family home loan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Nystrom, Palmer and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2233 (SSB 2063), a bill for an act providing for the transfer of fiduciary accounts among affiliates and between independent banks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Gallagher, Holden, Nystrom, Palmer and Tieden. Nays, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Discussed SSB 77.

Adjourned: 8:23 a.m.

ENERGY

Convened: February 27, 1984, 3:35 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Brown, Bruner, Hultman, Hulse, C. Miller, Tieden and Van Gilst.

Members Absent: none.

Final Bill Action: SENATE FILE 54, a bill for an act to require a bond from a person who provides a handling service for a dealer or a person operating a redemption center and to provide a penalty for violation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5179.

Final Vote: Ayes, 9: Gallagher, Colton, Rife, Brown, Bruner, Hulse, C. Miller, Tieden and Van Gilst. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved Senate File 2033 as amended and ordered redrafted as a committee bill.

Adjourned: 4:30 p.m.

FINANCE

Convened: February 28, 1984, 4:35 p.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Holden, Junkins, Palmer and Tieden.

Members Absent: Hultman, Ranking Member and Small.

Final Bill Action: HOUSE FILE 2347, a bill for an act relating to the appropriation of funds for the construction of a new state historical building and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Rodgers, Hutchins, Holden, Junkins, Palmer and Tieden. Nays, none. Absent or not voting, 2: Hultman and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:49 p.m.

HUMAN RESOURCES

Convened: February 27, 1984, 11:15 a.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Grattias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; discussed SSB 2221.

Adjourned: 11:35 a.m.

HUMAN RESOURCES

Convened: February 27, 1984, 2:40 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Grattias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: none.

Final Bill Action: SENATE FILE 2074, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5182.

Final Vote: Ayes, 7: Carr, C. Miller, Gentleman, Briles, Coleman, Grattias and Ritsema. Nays, 5: Hall, Horn, Mann, Slater and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:15 p.m.

JUDICIARY

Convened: February 27, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: none.

Final Bill Action: SENATE FILE 2235 (SSB 2152), a bill for an act relating to the penalties for operating a motor vehicle when the operator's license has been suspended or revoked.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Briles, Coleman, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, 3: Ritsema, Dieleman and Drake. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2236 (SSB 2002), a bill for an act relating to the authority of the Iowa law enforcement academy director and the law enforcement academy council to establish standards of professional conduct and to enforce the standards and requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Mann, Coleman, Gentleman, Goodwin, Holt, Horn and Small. Nays, 5: Welsh, Ritsema, Drake, Dieleman and Briles. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Amended and approved unnumbered SSB "E" and SSB 2173 as committee bills; approved SSB 2031 and SSB 2158 as committee bills assigned bills to subcommittees.

Adjourned: 4:50 p.m.

LOCAL GOVERNMENT

Convened: February 28, 1984, 8:02 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown, Colton, Mann, C. Miller, Vande Hoef and Waldstein.

Members Absent: Goodwin (excused.)

Final Bill Action: SENATE FILE 2197, a bill for an act relating to the establishment and dissolution of a sanitary district.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Wells, Briles, Brown, C. Miller, Vande Hoef and Waldstein. Nays, 2: Colton and Mann. Absent or not voting, 1: Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:38 a.m.

WAYS AND MEANS

Convened: February 27, 1984, 1:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown (arrived 1:37 p.m.), Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz and Van Gilst.

Members Absent: none.

Other Committee Business: Senate File 2056 was discussed by the committee and Jack Ketterer, Executive Secretary, and L.C. Pike, Commissioner, of the Iowa State Racing Commission; assigned bills to subcommittees.

Adjourned: 2:40 p.m.

WAYS AND MEANS

Convened: February 28, 1984, 3:40 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown (arrived 3:46 p.m.), Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers (arrived 3:45 p.m.), Small, Soorholtz and Van Gilst.

Members Absent: none.

Final Bill Action: SENATE FILE 2069, a bill for an act relating to the exemption certificate furnished by the state, its agencies, and political subdivisions of the state for the delivery of tax-exempt motor fuel.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Husak, Holden, Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Readinger, Small, Soorholtz and Van Gilst. Nays, none. Absent or not voting, 2: Brown and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2295, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of

prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 8: Palmer, Brown, Carr, Deluhery, Gratias, Readinger, Rodgers and Small. Nays, 7: Husak, Holden, Dieleman, Hester, Holt, Soorholtz and Van Gilst.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:15 p.m.

Pursuant to Senate Rule 38, House File 2295 was referred to the committee on Finance.

AMENDMENTS FILED

S-5168	S. F.	2215	Douglas Ritsema
S-5169	S. F.	2136	Edgar H. Holden
S-5170	S. F.	2199	Edgar H. Holden
S-5171	S. F.	2018	Judiciary
S-5172	S. F.	2089	House Amendment
S-5173	H. F.	189	Edgar H. Holden
S-5174	S. F.	2224	Tom Mann, Jr.
S-5175	H. F.	2263	Patrick Deluhery
S-5176	S. F.	2224	Tom Mann, Jr.
S-5177	S. F.	2056	Wm. W. (Bill) Dieleman
S-5178	S. F.	2130	Joe Brown
			Milo Colton
S-5179	S. F.	54	Energy
S-5180	S. F.	2156	Emil J. Husak
			Wm. W. (Bill) Dieleman
S-5181	H. F.	266	Donald V. Doyle
S-5182	S. F.	2074	Human Resources
S-5183	S. F.	2014	Douglas Ritsema
S-5184	S. F.	2235	Arthur A. Small, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Wednesday, February 29, 1984.

JOURNAL OF THE SENATE

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FIFTY-SECOND CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 29, 1984

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

Prayer was offered by the Reverend James Lamb, pastor of the St. Paul's Lutheran Church, Garner, Iowa.

The Journal of Tuesday, February 28, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lind and Schwengels for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2241, by Dieleman, a bill for an act to prohibit the training of racing dogs with live animals and to prohibit dogs trained with live animals from racing in Iowa and providing a penalty.

Read first time and passed on file.

Senate File 2242, by Committee on State Government, a bill for an act relating to the control, distribution, taxation, and private sale 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 referred to the committee on **Ways and Means** under Senate Rule 38.

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate File 2147** be withdrawn from further consideration of the Senate.

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2074** was referred from the Regular Calendar to the committee on **State Government** under Senate Rule 38.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2132

Senator Gentleman withdrew the motion to reconsider **Senate File 2132**, a bill for an act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse filed by her on February 9, 1984, and found on page 379 of the Senate Journal.

UNFINISHED BUSINESS (Deferred February 27, 1984)

House File 140

The Senate resumed consideration of **House File 140**, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor and making it effective upon publication and the motion to reconsider amendment S—5133 by Senator Small, deferred on February 27, 1984.

Senator Small moved the adoption of the motion to reconsider amendment S—5133.

The motion prevailed by a voice vote and amendment S—5133 by the committee on State Government to pages 1 through 3 of the bill was taken up for reconsideration.

Senator Small withdrew amendment S—5156 filed by him on February 24, 1984, to amendment S—5133.

Senator Small offered amendment S—5162 filed by him on February 27, 1984, to amendment S—5133 and moved its adoption.

Amendment S—5162 was adopted by a voice vote.

Senator Small moved the adoption of amendment S—5133 as amended, which motion prevailed by a voice vote.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 140) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Coleman	Deluhery	Dieleman	Doyle
Gallagher	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Høef	Van Gilst
Waldstein	Wells		

Nays, none.

Absent or not voting, 8:

Carr	Colton	Drake	Lind
Mann	Palmer	Schwengels	Welsh

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2136.

Senate File 2136

On motion of Senator Holden, Senate File 2136, a bill for an act requiring state banks, private banks, and state savings and loan associations to obtain and maintain account insurance, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5155 filed by Senators Holden and Small on February 24, 1984, to page 2 of the bill.

Senator Holden offered amendment S—5169 filed by him on February 28, 1984, to amendment S—5155 and moved its adoption.

Amendment S—5169 was adopted by a voice vote.

Senator Holden moved the adoption of amendment S—5155 as amended, which motion prevailed by a voice vote.

Senator Holden asked and received unanimous consent that House File 189 be substituted for Senate File 2136.

House File 189

On motion of Senator Holden, House File 189, a bill for an act requiring state banks and state savings and loan associations to acquire and maintain account insurance on their deposits, was taken up for consideration.

Senator Holden offered amendment S—5173 filed by him on February 28, 1984, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5173 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 189) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Coleman
Deluhery	Dieleman	Doyle	Drake
Gallagher	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van-Gilst
Waldstein	Wells	Welsh	

Nays, 2:

Briles

Ritsema

Absent or not voting, 5:

Carr

Colton

Lind

Mann

Schwengels

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

Senator Holden asked and received unanimous consent that **Senate File 2136** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred February 27, 1984)

Senate File 517

The Senate resumed consideration of Senate File 517, a bill for an act relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty, and amendment S—5147 by the committee on Judiciary to strike everything after the enacting clause of the bill, deferred on February 27, 1984.

Senator Welsh offered amendment S—5158 filed by him on February 27, 1984, to amendment S—5147 and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 27.

Amendment S—5158 lost.

Senator Gentleman moved the adoption of amendment S—5147, which motion prevailed by a voice vote.

Senator Readinger moved that the bill be read the last time now and placed upon its passage, 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, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A. V.	Miller, C. P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Mann	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.

CONSIDERATION OF BILL (Appropriations Calendar)

House File 2347

On motion of Senator Dieleman, House File 2347, a bill for an act relating to the appropriation of funds for the construction of a new state historical building and providing effective dates, with reports of committees on Appropriations and Finance recommending passage, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2347) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias

Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, 2:

Ritsema Welsh

Absent or not voting, 3:

Lind Mann Schwengels

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

Senator Junkins asked and received unanimous consent that House File 2347 be immediately messaged to the House.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:50 a.m., until 12:00 noon.

RECONVENED

The Senate reconvened at 12:05 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2243, by Committee on Local Government, a bill for an act specifying which claims paid to county employees must be published in official newspapers.

Read first time and placed on calendar.

Senate File 2244, by Committee on Local Government, a bill for an act relating to public bonds and obligations by correcting references and providing for payment of the costs of registration.

Read first time and placed on calendar.

Senate File 2245, by Committee on Local Government, a bill for an act relating to the liability of a county or city, or an administrative or legal entity created by a county or city, under the Iowa competition law.

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

Senate File 2246, by Small, a bill for an act relating to the sentencing of habitual offenders under section 902.8.

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

BILL REFERRED TO COMMITTEE .

President Anderson announced that **House File 2295** was referred from the Regular Calendar to the committee on **State Government** under Senate Rule 38.

RECESS

On motion of Senator Miller of Des Moines, the Senate recessed at 12:09 p.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2247, by Committee on Judiciary, a bill for an act relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties.

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

Senate File 2248, by Committee on Energy, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals and providing penalties and authorizing the department of water, air and waste management to adopt hazardous waste rules in respect to hazardous chemicals which are more restrictive than, but consistent with, federal requirements.

Read first time and placed on calendar.

BILL REFERRED TO COMMITTEE

President Anderson announced that House File 266 was referred from the Regular Calendar to the committee on Ways and Means under Senate Rule 38.

APPENDIX

FURTHER REPORT OF COMMITTEE MEETING

JUDICIARY*

*A previous report of this meeting was recorded on page 541 of the Senate Journal.

Final Bill Action: SENATE FILE 2247 (SSB 2134), a bill for an act relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 3: Briles, Mann and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT*

*A previous report of this meeting was recorded on page 572 of the Senate Journal.

Final Bill Action: SENATE FILE 2243, a bill for an act specifying which claims paid to county employees must be published in official newspapers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: A. Miller, Wells, Brown, Colton, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Briles, Mann and Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2244, a bill for an act relating to public bonds and obligations by correcting references and providing for payment of the costs of registration.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, Wells, Briles, Brown, Colton, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2245, a bill for an act relating to the liability of a county or city, or an administrative or legal entity created by a county or city, under the Iowa competition law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: A. Miller, Wells, Briles, Brown, C. Miller, Vande Hoef and Waldstein. Nays, 2: Colton and Mann. Absent or not voting, 1: Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2241	Judiciary
S. F.	2246	Judiciary

STUDY BILLS RECEIVED

S.S.B. 2235 Energy

Relating to the purchase of Iowa coal by state and local government institutions.

S.S.B. 2236 Education

Relating to the membership of the state board of regents.

S.S.B. 2237 Human Resources

Relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty.

S.S.B. 2238 State Government

To provide for placing an advisory measure in regard to a state lottery on the ballot for the 1984 general election.

S.S.B. 2239 Education

Relating to funds available to school districts and to make an appropriation.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: February 28, 1984, 10:02 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Other Committee Business: Reports from Bob Ward, Director of Regional Library Services and Charles Williams, Institutional Farm Operations; budget presentation by John Baldwin, Deputy Director for General Administration, Department of Corrections.

Adjourned: 11:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 28, 1984, 10:11 a.m.

Members Present: Husak, Chair; Colton, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Other Committee Business: Charles Palmer, Department of Human Services, presented information on the alcohol, drug abuse and mental health block grant; Mary Ellis, Iowa Department of Substance Abuse, presented a request for the block grant funding; Gene Reisinger, Ole Oleson, and David MacMaster made presentations for the county substance abuse programs for the counties of Warren, Marion, and Clayton, respectively.

Adjourned: 12:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 28, 1984, 10:10 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member and Hester.

Members Absent: Priebe (excused.)

Other Committee Business: Continuation of Iowa Development Commission hearing.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 28, 1984, 10:00 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: none.

Other Committee Business: Mr. Donald Mason, Executive Director for Prosecuting Attorneys Training Coordinator, presented the department's budget; John Fitzgibbon from the Terrace Hill Authority presented their budget.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: February 28, 1984, 10:05 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: General Services and the Department of Public Safety appeared before the committee regarding the purchasing of state vehicles.

Adjourned: 11:25 a.m.

ENERGY

Convened: February 29, 1984, 1:35 p.m.

Members Present: Gallagher, Chair; Brown, Bruner, Hultman, Hulse, C. Miller, Tieden and Van Gilst.

Members Absent: Colton, Vice Chair and Rife, Ranking Member.

Final Bill Action: SENATE FILE 2248, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals and providing penalties and authorizing the department of water, air and waste management to

adopt hazardous waste rules in respect to hazardous chemicals which are more restrictive than, but consistent with federal requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Gallagher, Brown, Bruner, Hultman, C. Miller, Tieden and Van Gilst. Nays, 1: Hulse. Absent or not voting, 2: Colton and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: John Neubauer discussed proposed legislation that would allow for privately financed garbage to steam plants; assigned SSB 2235 to subcommittee; amended Senate File 2193 and ordered redrafted.

Adjourned: 2:10 p.m.

FINANCE

Convened: February 29, 1984, 10:45 a.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Junkins, Palmer, Small and Tieden.

Members Absent: Holden.

Final Bill Action: HOUSE FILE 2295, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Rodgers, Hutchins, Junkins, Palmer and Small. Nays, 2: Hultman and Tieden. Absent or not voting, 1: Holden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 10:52 a.m.

JUDICIARY

Convened: February 29, 1984, 10:40 a.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Mann, Vice Chair (excused) and Briles.

Final Bill Action: SENATE FILE 2095, a bill for an act providing a penalty for violation of requirements for setting aside handicapped parking spaces.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Mann and Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; adopted SSB "L" and SSB 2162/Study bill "G".

Recessed: 11:30 a.m.

Reconvened: 1:30 p.m.

Adjourned: 2:30 p.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 28, 1984, 1:30 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers.

Members Absent: Lind (excused.)

Other Committee Business: Assigned bill to subcommittee; amended and approved SSB 2205 and ordered redrafted as a committee bill; presentations by Gary Williams of ISU and Robert Helmick of Des Moines.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: February 28, 1984, 2:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: none.

Final Bill Action: SENATE FILE 2242 (SSB 2194), a bill for an act relating to the control, distribution, taxation, and private sale 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Slater, Carr, Nystrom, Briles, Bruner, Coleman, C. Miller, Rife and Welsh. Nays, 3: Dieleman, Drake and Soorholtz. Absent or not voting, 2: Gettings and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; approved SSB 156 and ordered redrafted as a committee bill; deferred action on House File 529; Senate File 2085 failed recommendation for passage.

Adjourned: 3:30 p.m.

TRANSPORTATION

Convened: February 28, 1984, 3:40 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Priebe and Welsh.

Members Absent: Lind and Nystrom (both excused.)

Final Bill Action: SENATE FILE 2194, a bill for an act relating to parking violations and providing, with certain exceptions, that parking violations not be considered for license suspensions or revocations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 266, a bill for an act to define regional transit systems and to include regional systems which receive state or federal funds within the definition of Iowa urban transit systems for the purpose of obtaining motor fuel and special fuel tax exemptions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5191.

Final Vote: Ayes 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:09 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John W. Barnes, M.D., Missouri Valley, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed Lina Castrillon, Perira, Columbia; Noriko Kiron, Tokyo, Japan; Hans Habberstad, Vastervik, Sweden; and Claude-Alain Baehler, Geneva, Switzerland, exchange students, who were present in the Senate chamber as the guests of Senator Dieleman.

AMENDMENTS FILED

S—5185	S. F.	2181	Joe J. Welsh Milo Colton Joe Brown
S—5186	S. F.	2233	Edgar H. Holden
S—5187	S. F.	2215	Douglas Ritsema
S—5188	S. F.	2233	Patrick J. Deluhery Edgar H. Holden
S—5189	S. F.	190	Calvin O. Hultman Tom Slater
S—5190	S. F.	489	Joe J. Welsh
S—5191	H.F.	266	Transportation
S—5192	S. F.	2014	Charles Bruner Tom Slater

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Thursday, March 1, 1984.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 1, 1984

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

Prayer was offered by the Reverend Carl B. Riggs, pastor of the First United Presbyterian Church, Fairfield, Iowa.

The Journal of Wednesday, February 29, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2249, by Committee on Transportation, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations.

Read first time and placed on calendar.

Senate File 2250, by Committee on Transportation, a bill for an act relating to the budget year, annual report and minimum local effort provisions for secondary roads.

Read first time and placed on calendar.

Senate File 2251, by Committee on Human Resources, a bill for an act making changes in the practice act relating to physical therapy.

Read first time and placed on calendar.

Senate File 2252, by Committee on Judiciary, a bill for an act relating to the visitation rights of a grandparent.

Read first time and placed on calendar.

Senate File 2253, by Committee on Judiciary, a bill for an act relating to the penalty for violation of the Iowa competition law and providing for a prohibition from bidding on governmental contracts by persons convicted of violations of the Iowa competition law.

Read first time and placed on calendar.

UNFINISHED BUSINESS (Deferred February 27, 1984)

Senate File 2014

The Senate resumed consideration of Senator File 2014, a bill for an act to establish limits to the amount of money a candidate's committee can accept from a political committee, deferred on February 27, 1984.

Senator Bruner offered amendment S—5144, filed by the committee on State Government on February 22, 1984, to page 1 of the bill.

Senator Colton offered amendment S—5163 filed by Senators Colton and Mann on February 27, 1984, to amendment S—5144.

Senator Colton asked and received unanimous consent that further action on amendment S—5144, amendment S—5163 to amendment S—5144 and Senate File 2014 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2213.

Senate File 2213

On motion of Senator Rodgers, Senate File 2213, a bill for an act relating to the authority of the department of water, air and waste management over waste water disposal systems, was taken up for consideration.

Senator Rodgers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2213) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind Mann Vande Hoef

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

UNFINISHED BUSINESS (Deferred February 24, 1984)

Senate File 2181

The Senate resumed consideration of Senate File 2181, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities, deferred on February 24, 1984.

Senator Welsh offered amendment S-5159 filed by Senators Welsh, Colton and Brown on February 27, 1984, to strike everything after the enacting clause and to the title page of the bill.

Senator Colton asked and received unanimous consent that further action amendment S-5159 and Senate File 2181 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2101.

Senate File 2101

On motion of Senator Goodwin, Senate File 2101, a bill for an act relating to the commitment of children beyond their eighteenth birthday to the state training school, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin offered amendment S—5112 filed by Senator Taylor on February 14, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5112 was adopted by a voice vote.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2101) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gentleman	Lind	Mann	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.

Senate File 2135

On motion of Senator Deluhery, Senate File 2135, a bill for an act relating to electric transmission line, wire, or cable franchises and making civil penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2135) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Mann

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

Senate File 2173

On motion of Senator Van Gilst, Senate File 2173, a bill for an act relating to appeals of awards by compensation commissions in condemnation proceedings, with report of committee recommending passage, was taken up for consideration.

Senator Van Gilst moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2173) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Mann

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 Mann for the remainder of the week on request of Senator Junkins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2214.

Senate File 2214

On motion of Senator Rodgers, Senate File 2214, a bill for an act relating to the regulation of hazardous waste and subjecting violators to a civil penalty, was taken up for consideration.

Senator Rodgers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2214) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tjeden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Mann

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2212.

Senate File 2212

On motion of Senator Nystrom, Senate File 2212, a bill for an act relating to pay scale standards for members of the Iowa national guard, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2212) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt

Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Mann

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 409.

Senate File 409

On motion of Senator Carr, Senate File 409, a bill for an act relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, 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, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hester

Lind

Mann

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

Senate File 2121

On motion of Senator Gentleman, Senate File 2121, a bill for an act relating to the establishment of a state historical building code, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Holt took the chair at 10:18 a.m.

Senator Rife offered amendment S—5166 filed by the committee on State Government on February 27, 1984, to pages 1 through 4 and to the title page of the bill.

Senator Deluhery asked and received unanimous consent that further action on amendment S—5166 and **Senate File 2121** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2164.

Senate File 2164

On motion of Senator Gentleman, Senate File 2164, a bill for an act relating to the membership of the Iowa public broadcasting board, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **Senate File 2164** be deferred.

INTRODUCTION OF BILLS

Senate File 2254, by Committee on State Government, a bill for an act relating to the state employee suggestion system.

Read first time and placed on calendar.

Senate File 2255, by Committee on Small Business and Economic Development, a bill for an act permitting a state bank, state savings and loan association, or a service corporation of a state bank or state savings and loan association to engage in real estate brokerage only to the same extent as federally-chartered banks and savings and loan association.

Read first time and placed on calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:50 a.m., until 5:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 5:30 p.m., Senator Doyle presiding.

INTRODUCTION OF BILLS

Senate File 2256, by Committee on Local Government, a bill for an act relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws.

Read first time and placed on calendar.

Senate File 2257, by Committee on Commerce, a bill for an act relating to the ownership of joint transmission facilities.

Read first time and placed on calendar.

Senate File 2258, by Committee on Judiciary, a bill for an act making statutory corrections and other changes relating to the court reorganization and court fee legislation enacted in 1983.

Read first time and placed on calendar.

Senate File 2259, by Committee on Education, a bill for an act relating to the day school shall commence for elementary and secondary schools each school year.

Read first time and placed on calendar.

Senate File 2260, by Committee on Local Government, a bill for an act relating to military veterans benefits.

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

Senate File 2261, by Committee on Commerce, a bill for an act relating to the powers of state-chartered savings and loan associations.

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

Senate File 2262, by Committee on Commerce, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered.

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

Senate File 2263, by Committee on Education, a bill for an act requiring the department of public instruction to adopt rules relating to the review of an action or omission relating to special education programs by state or local authorities.

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

Senate File 2264, by Committee on Education, a bill for an act relating to teaching comprehensive health education in grades one through twelve.

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

Senate File 2265, by Committee on Education, a bill for an act allowing employees of area education agencies, school corporations, merged area schools, and regional library systems to use school credit cards upon authorization by their respective boards.

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

Senate File 2266, by Committee on Small Business and Economic Development, a bill for an act making an appropriation to the center for industrial research and service at Iowa state university of science and technology for the purpose of funding the small business development centers and the small business division of the Iowa development commission.

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

Senate File 2267, by Committee on Energy, a bill for an act relating to the collection, transportation, storage, and disposal of solid waste.

Read first time and placed on calendar.

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 February 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2062, a bill for an act providing for a moratorium on certain disconnections of gas and electricity by regulated public utilities from November 1 to April 1 for residents age sixty or over and making civil penalties applicable.

This bill was read first time and passed on file.

ALSO: That the House has on February 16, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2219, a bill for an act to provide that an eligible elector residing in a precinct may register to vote at the polling place on election day.

This bill was read first time and passed on file.

ALSO: That the House has on March 1, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2184, a bill for an act relating to publication of notice for zoning actions taken under chapter 414.

This bill was read first time and passed on file.

APPENDIX

FURTHER REPORTS OF COMMITTEE MEETINGS

JUDICIARY

*A previous report of this meeting was recorded on page 572 of the Senate Journal.

Final Bill Action: SENATE FILE 2252 (SSB 2031), a bill for an act relating to the visitation rights of a grandparent.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2253 (SSB 2173), a bill for an act relating to the penalty for violation of the Iowa competition law and providing for a prohibition from bidding on governmental contracts by persons convicted of violations of the Iowa competition law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2258 (SSB "E"), a bill for an act making statutory corrections and other changes relating to the court reorganization and court fee legislation enacted in 1983.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

*A previous report of this meeting was recorded on pages 588-589 of the Senate Journal.

Final Bill Action: SENATE FILE 2057, a bill for an act to legalize the proceedings of the board of supervisors of Lee county relating to the compensation of certain county officers and deputies.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2098, a bill for an act relating to the liability for torts committed by offenders assigned to perform unpaid community service.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5199.

Final Vote: Ayes, 13: Doyle, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2206, a bill for an act relating to the safety and security of passengers on buses and in the bus terminals by establishing criminal offenses and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, 1: Ritsema. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT*

*A previous report of this meeting was recorded on page 555 of the Senate Journal.

Final Bill Action: SENATE FILE 2260 (SSB 2206), a bill for an act relating to military veterans benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Wells, Briles, Brown, Colton, Goodwin, Mann, C. Miller, Vander Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

*A previous report of this meeting was recorded on pages 590-591 of the Senate Journal.

Final Bill Action: SENATE FILE 2249, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2250, a bill for an act relating to the budget year, annual report and minimum local effort provisions for secondary roads.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 29, 1984, 2:35 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: SENATE FILE 2201, a bill for an act relating to providing an appropriation to Iowa State University of Science and Technology for research to develop perennial cash crops.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 3:25 p.m.

Pursuant to Senate Rule 38, Senate File 2201 was referred to the committee on Appropriations under Senate Rule 38.

COMMERCE

Convened: March 1, 1984, 8:12 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden.

Members Absent: Palmer.

Final Bill Action: SENATE FILE 2261 (SSB 2109), a bill for an act relating to the powers of state-chartered savings and loan associations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Discussed SSB 77.

Adjourned: 8:30 a.m.

COMMERCE

Convened: March 1, 1984, 8:32 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden.

Members Absent: Palmer.

Final Bill Action: SENATE FILE 2257 (SSB 2207), a bill for an act relating to the ownership of joint transmission facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2262 (SSB 77), a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:43 a.m.

EDUCATION

Convened: February 28, 1984, 2:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind (excused).

Final Bill Action: SENATE FILE 2259 (SSB 2048), a bill for an act relating to the day school shall commence for elementary and secondary schools each school year.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Anderson, Colton, Gallagher, Horn, Taylor and Wells. Nays, 2: Gratias and Ritsema. Absent or not voting, 1: Lind (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2263 (SSB 2214), a bill for an act requiring the department of public instruction to adopt rules relating to the review of an action or omission relating to special education programs by state or local authorities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2264 (SSB 2136), a bill for an act relating to teaching comprehensive health education in grades one through twelve.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:12 p.m.

EDUCATION

Convened: February 29, 1984, 3:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind (excused).

Final Bill Action: SENATE FILE 2265 (SSB 2221), a bill for an act allowing employees of area education agencies, school corporations, merged area schools, and regional library systems to use school credit cards upon authorization by their respective boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Wells, Ritsema and Taylor. Nays, none. Absent or not voting, 1: Lind (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:52 p.m.

ENERGY

Convened: March 1, 1984, 4:55 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Brown, Bruner, Hulse, C. Miller, Tieden and Van Gilst.

Members Absent: Hultman (excused).

Final Bill Action: SENATE FILE 2267, a bill for an act relating to the collection, transportation, storage and disposal of solid waste.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Gallagher, Colton, Rife, Brown, Bruner, C. Miller, Tieden and Van Gilst. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved-SSB 2235 as a committee bill.

Adjourned: 5:00 p.m.

HUMAN RESOURCES

Convened: February 29, 1984, 2:40 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Gratias, Hall, Horn, Ritsema, Slater and Soorholtz.

Members Absent: Mann (excused).

Final Bill Action: SENATE FILE 2251 (SSB 2195), a bill for an act making changes in the practice act relating to physical therapy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved SSBs 2018, 2198 and 2237 as committee bills.

Adjourned: 3:30 p.m.

JUDICIARY

Convened: March 1, 1984, 3:45 p.m.

Members Present: Doyle, Chair, Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small.

Members Absent: Briles, Mann, Vice Chair (excused), and Welsh.

Final Bill Action: HOUSE FILE 245, a bill for an act relating to the time by which a court shall set out the amount of restitution in a criminal case.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Ritsema, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Mann, Briles, Coleman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:25 p.m.

LOCAL GOVERNMENT

Convened: March 1, 1984, 8:02 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown, Colton, Goodwin, C. Miller, Vande Hoef and Waldstein.

Members Absent: Mann (excused).

Final Bill Action: SENATE FILE 2108, a bill for an act relating to the annexation of land located within a rural water district or association.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Wells, Colton, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Briles, Brown and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2256 (SSB 2175), a bill for an act relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: A. Miller, Wells, Colton, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Briles, Brown and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:13 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 29, 1984, 11:35 a.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratias, Hulse, Hutchins, A. Miller, Readinger and Rodgers.

Members Absent: Lind (excused) and Mann.

Final Bill Action: SENATE FILE 2255 (SSB 2234), a bill for an act permitting a state bank, state savings and loan association, or a service corporation of a state bank or state savings and loan association to engage in real estate brokerage only to the same extent as federally-chartered banks and savings and loan associations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Husak, Doyle, Taylor, Anderson, Hutchins, A. Miller and Rodgers. Nays, 2: Hulse and Readinger. Voting Present, 1: Gratias. Absent or not voting, 2: Lind (excused) and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2266 (SSB 2116), a bill for an act making an appropriation to the center for industrial research and service at Iowa state university of science and technology for the purpose of funding the small business development centers and the small business division of the Iowa development commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Husak, Doyle, Taylor, Anderson, Gratias, Hulse, Hutchins, Readinger and Rodgers. Nays, none. Absent or not voting, 3: Lind, Mann and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Amended and approved SSB 2215 and ordered redrafted for final approval as a committee bill.

Adjourned: 11:55 a.m.

STATE GOVERNMENT

Convened: February 29, 1984, 3:30 p.m.

Members Present: Slater, Chair, Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: none.

Final Bill Action: SENATE FILE 2254 (SSB 2217), a bill for an act relating to the state employee suggestion system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2295, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date.

Recommendation: DO PASS. (Reported to the Senate Calendar 2-29-84).

Final Vote: Ayes, 8: Slater, Carr, Briles, Coleman, Gettings, C. Miller, Rife and Welsh. Nays, 6: Nystrom, Bruner, Dieleman, Drake, Schwengels and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; approved SSBs 189, 190, 270, 2067, 2139 and 2233 as committee bills.

Adjourned: 4:15 p.m.

STUDY BILLS RECEIVED

S.S.B. 2181A Ways and Means (S.S.B. 2181 was amended to become S.S.B. 2181A).

Relating to taxation by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes, making coordinating amendments, and making the Act retroactive.

S.S.B. 2240 State Government

Amending Section 509A.5, Code of Iowa, relating to group insurance for public employees.

S.S.B. 2241 State Government

Changing the maximum period benefits paid under the employees disability program.

S.S.B. 2242 Small Business and Economic Development

Relating to the involvement of the state in a world trade center.

S.S.B. 2243 State Government

Relating to the deposit of interest earnings in designated employee insurance funds.

S.S.B. 2244 Ways and Means

Relating to the definition and taxation of real property within a self-supported municipal improvement district.

COMMUNICATION FROM THE SECRETARY OF STATE

February 29, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

I hereby certify that Senate File 2045 was published in The Red Oak Express, Red Oak, Iowa, on February 15, 1984, and in the Daily Gate City, Keokuk, Iowa, on February 27, 1984.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2214 passed the Senate on March 1, 1984.

ALVIN V. MILLER

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lynn Leibel, M.D., Council Bluffs, Iowa.

AMENDMENTS FILED

S—5193	H.F.	2124	Wm. W. (Bill) Dieleman
S—5194	S. F.	2098	Patrick J. Deluhery
S—5195	S. F.	2014	Milo Colton
S—5196	S. F.	2014	Milo Colton
S—5197	S. F.	2215	Dale L. Tieden
S—5198	S. F.	2215	Douglas Ritsema
			Ray Taylor
S—5199	S. F.	2098	Judiciary
S—5200	H.F.	2295	Edgar H. Holden
S—5201	S. F.	2130	Joe Brown
S—5202	H.F.	2295	Arne Waldstein
S—5203	S. F.	2121	Patrick J. Deluhery
S—5204	S. F.	2130	Joe Brown
S—5205	S. F.	2215	Douglas Ritsema
S—5206	S. F.	2181	Joe Welsh
			Milo Colton
			Joe Brown
			Arne Waldstein
S—5207	S. F.	2228	James D. Wells
S—5208	S. F.	2014	Calvin O. Hultman
S—5209	S. F.	2215	Ray Taylor

ADJOURNMENT

On motion of Senator Miller of Des Moines, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Friday, March 2, 1984.

JOURNAL OF THE SENATE

FIFTY-FOURTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 2, 1984

The Senate met in regular session at 9:11 a.m., President Anderson presiding.

Prayer was offered by the Reverend L. Hume Ward, pastor of the Windsor Presbyterian Church, Des Moines, Iowa.

The Journal of Thursday, March 1, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Small for the day on request of Senator Hutchins and Senators Hultman, Waldstein, Lind, Vande Hoef and Holt for the day on request of Senator Nystrom.

INTRODUCTION OF BILLS

Senate File 2268, by Committee on Judiciary, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty.

Read first time and placed on calendar.

Senate File 2269, by Committee on Judiciary, a bill for an act limiting the amount charged employed county prisoners for meals.

Read first time and placed on calendar.

Senate File 2270, by Committee on Judiciary, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug.

Read first time and placed on calendar.

Senate File 2271, by Committee on Judiciary, a bill for an act relating to the department of public safety by providing for representation of members in criminal actions and the designation

of department members as department administrative hearing officers.

Read first time and placed on calendar.

Senate File 2272, by Committee on Judiciary, a bill for an act relating to modification of orders made in proceedings for dissolution of marriage, annulment or separate maintenance.

Read first time and placed on calendar.

Senate File 2273, by Committee on Transportation, a bill for an act to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic.

Read first time and placed on calendar.

BILLS REFERRED TO COMMITTEE

President Anderson announced that **Senate Files 2256, 2258 and 2266** were referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

CONSIDERATION OF BILL **(Ways and Means Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order House File 2295.

House File 2295

On motion of Senator Palmer, House File 2295, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date, with report of committee on Ways and Means without recommendation and the reports of committees on Finance and State Government recommending passage, was taken up for consideration.

Senator Palmer asked and received unanimous consent that further action on House File 2295 be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 2089

Senator Priebe called up for consideration Senate File 2089, a bill for an act requiring children under the age of six being transported in certain motor vehicles to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective date, amended by the House, and moved that the Senate concur in House amendment S—5172 filed February 28, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2089) the vote was:

Ayes, 37:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Soorholtz	Tieden	Van Gilst	Wells
Welsh			

Nays, 6:

Briles	Coleman	Gallagher	Holden
Ritsema	Taylor		

Absent or not voting, 7:

Holt	Hultman	Lind	Mann
Small	Vande Hoef	Waldstein	

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2156.

Senate File 2156

On motion of Senator Husak, Senate File 2156, a bill for an act relating to the administration of the extraordinary property tax credit or reimbursement, with report of committee recommending passage, was taken up for consideration.

Senator Husak offered amendment S—5180 filed by Senators Husak and Dieleman on February 28, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5180 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2156) the vote was:

Ayes, 41:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Soorholtz	Taylor	Tieden	Van Gilst
Welsh			

Nays, none.

Absent or not voting, 9:

Coleman	Holt	Hultman	Lind
Mann	Small	Vande Hoef	Waldstein
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 Junkins asked and received unanimous consent to take up out of order House File 2263.

House File 2263

On motion of Senator Palmer, House File 2263, a bill for an act to regulate interest rates on life insurance policy loans, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery offered amendment S—5175 filed by him on February 28, 1984, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 9, nays 33.

Amendment S—5175 lost.

Senator Brown took the chair at 10:05 a.m.

Senator Gallagher asked unanimous consent that further action on House File 2263 be deferred.

Senator Gallagher withdrew his request.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2263) the vote was:

Ayes, 32:

Brown	Bruner	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Soorholtz	Taylor	Van Gilst

Nays, 9:

Anderson
Gallagher
Welsh

Carr
Horn

Coleman
Slater

Colton
Wells

Absent or not voting, 9:

Briles
Mann
Waldstein

Holt
Small

Hultman
Tieden

Lind
Vande Hoef

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2221.

Senate File 2221

On motion of Senator Hester, Senate File 2221, a bill for an act relating to tests and standards for motor vehicle fuel, was taken up for consideration.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2221) the vote was:

Ayes, 40:

Anderson
Coleman
Doyle
Goodwin
Holden
Hutchins
Miller, A.V.
Priebe
Rodgers
Taylor

Brown
Colton
Drake
Gratias
Horn
Jensen
Miller, C.P.
Readinger
Schwengels
Van Gilst

Bruner
Deluhery
Gentleman
Hall
Hulse
Junkins
Nystrom
Rife
Slater
Wells

Carr
Dieleman
Gettings
Hester
Husak
Kinley
Palmer
Ritsema
Soorholtz
Welsh

Nays, none.

Absent or not voting, 10:

Briles

Gallagher

Holt

Hultman

Lind
Vande Hoef

Mann
Waldstein

Small

Tieden

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 Schwengels for the remainder of the day on request of Senator Holden.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2222

On motion of Senator Gettings, Senate File 2222, a bill for an act allowing a city to redraw precinct lines when adopting a system which provides for election of council members from wards or when changing the number of council members who are elected from wards, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2222) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A. V.	Miller, C. P.	Nystrom
Palmer	Readinger	Rife	Ritsema
Rodgers	Slater	Soorholtz	Taylor
Tieden	Van Gilst	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Briles
Mann
Vande Hoef

Holt
Priebe
Waldstein

Hultman
Schwengels

Lind
Small

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

Senator Junkins asked and received unanimous consent to take up out of order House File 257.

House File 257

On motion of Senator Dieleman, House File 257, a bill for an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Holden asked and received unanimous consent that further action on **House File 257** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2093.

Senate File 2093

On motion of Senator Slater, Senate File 2093, a bill for an act relating to publication of notice for zoning actions taken under chapter 414, with report of committee recommending passage, was taken up for consideration.

Senator Slater withdrew amendment S—5145 filed by him on February 22, 1984, to page 1 of the bill.

Senator Slater offered amendment S—5210 filed by Senator Junkins from the floor to page 1 of the bill and moved its adoption.

Amendment S—5210 was adopted by a voice vote.

Senator Slater asked and received unanimous consent that **House File 2184** be substituted for Senate File 2093.

House File 2184

On motion of Senator Slater, House File 2184, a bill for an act relating to publication of notice for zoning actions taken under chapter 414, was taken up for consideration.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2184) the vote was:

Ayes, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Hall	Hester	Holden
Horn	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Soorholtz	Taylor	Tieden
Van Gilst	Wells	Welsh	

Nays, 2:

Gallagher Gettings

Absent or not voting, 9:

Briles	Holt	Hultman	Mann
Nystrom	Schwengels	Small	Vande Hoef
Waldstein			

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

Senator Junkins asked and received unanimous consent that **Senate File 2093** be **withdrawn** from further consideration of the Senate.

Senator Junkins asked and received unanimous consent to take up out of order House File 2019.

House File 2019

On motion of Senator Colton, House File 2019, a bill for an act to protect state employees from personnel actions as reprisals for providing information to legislators or disclosing waste, mismanagement, or violations of law, and subjecting violators to a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2019) the vote was:

Ayes, 36:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Horn
Husak	Hutchins	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Soorholtz	Taylor
Tieden	Van Gilst	Wells	Welsh

Nays, 3:

Gentleman	Hester	Holden
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Absent or not voting, 11:

Briles	Holt	Hulse	Hultman
Jensen	Mann	Nystrom	Schwengels
Small	Vande Hoef	Waldstein	

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

House File 2031

On motion of Senator Gettings, House File 2031, a bill for an act stipulating collective bargaining representation for employees of a district board of correctional services, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2031) the vote was:

Ayes, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman

Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Soorholtz	Taylor	Tieden
Van Gilst	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Briles	Gallagher	Holt	Horn
Hultman	Mann	Nystrom	Schwengels
Small	Vande Hoef	Waldstein	

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

House File 2170

On motion of Senator Carr, House File 2170, a bill for an act relating to duties and responsibilities of probation officers, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2170) the vote was:

Ayes, 41:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Soorholtz
Taylor	Tieden	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Briles
Nystrom
Waldstein

Holt
Schwengels

Hultman,
Small

Mann
Vande Hoef

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 106, by Committee on State Government, a concurrent resolution citing legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services as drafted in accordance with Public Law 94-519.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 2274, by Committee on State Government, a bill for an act to license operators of radiation emitting equipment.

Read first time and placed on calendar.

Senate File 2275, by Committee on State Government, a bill for an act relating to the Iowa housing finance authority by establishing a health care equipment financing program for the purpose of issuing bonds to assist health care providers in obtaining and financing health care equipment and changing the name of the authority.

Read first time and placed on calendar.

Senate File 2276, by Committee on State Government, a bill for an act relating to the state board of engineering examiners.

Read first time and placed on calendar.

Senate File 2277, by Committee on State Government, a bill for an act relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or optometric corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and

to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses.

Read first time and placed on calendar.

Senate File 2278, by Committee on Human Resources, a bill for an act relating to criteria for the issuance of a certificate of need by the state health facilities council.

Read first time and placed on calendar.

Senate File 2279, by Committee on Agriculture, a bill for an act declaring a state of emergency and imposing a two year moratorium on the foreclosure of real estate mortgages, deeds of trust of real property, contracts for the purchase of real property, and operating loans and loans for personal property when the property is being used for farming or the operation of a small business.

Read first time and placed on calendar.

Senate File 2280, by Committee on State Government, a bill for an act relating to the competitive bidding procedures of the department of general services.

Read first time and placed on calendar.

Senate File 2281, by Committee on Human Resources, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty.

Read first time and placed on calendar.

Senate File 2282, by Bruner, a bill for an act imposing a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive.

Read first time and passed on file.

Senate File 2283, by Committee on Judiciary, a bill for an act relating to the death of a firefighter during an arson and providing a penalty.

Read first time and placed on calendar.

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

The Senate resumed session, Senator Hall presiding.

INTRODUCTION OF BILLS

Senate File 2284, by Committee on Education, a bill for an act relating to lease-purchase agreements made by an area education agency.

Read first time and placed on calendar.

Senate File 2285, by Committee on Small Business and Economic Development, a bill for an act permitting the deposit of a credit union certified share draft as security on a bid for a contract for a public improvement.

Read first time and placed on calendar.

Senate File 2286, by Committee on Small Business and Economic Development, a bill for an act to amend the merit review standards for new issues of securities under the Iowa blue sky law.

Read first time and placed on calendar.

Senate File 2287, by Committee on Small Business and Economic Development, a bill for an act relating to job training by establishing an Iowa job training and coordination program and making an appropriation.

Read first time and placed on calendar.

Senate File 2288, by Committee on Small Business and Economic Development, a bill for an act relating to the state's acquisition and use of space in a world trade center.

Read first time and placed on calendar.

Senate File 2289, by Committee on Small Business and Economic Development, a bill for an act relating to the involvement of the state in a world trade center.

Read first time and placed on calendar.

Senate File 2290, by Committee on Education, a bill for an act relating to the references to "voters" in regard to school district boundary petitions.

Read first time and placed on calendar.

Senate File 2291, by Committee on Commerce, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards.

Read first time and placed on calendar.

Senate File 2292, by Committee on Human Resources, a bill for an act relating to the definition of child abuse and the admissibility of certain tape recordings as evidence in child in need of assistance cases.

Read first time and placed on calendar.

Senate File 2293, by Committee on Human Resources, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty.

Read first time and placed on calendar.

Senate File 2294, by Committee on State Government, a bill for an act relating to the examination of government records by providing for the procedures for their examination, for enforcement of those procedures, for the availability of certain records, and for the duties of the lawful custodians and providing for civil damages.

Read first time and placed on calendar.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 2074

State Government
Bruner, Chair
Slater
Soorholtz

SENATE FILE 2185

Ways & Means
Carr, Chair
Dieleman
Van Gilst
Gratias
Holt

SENATE FILE 2198

Local Government
Waldstein, Chair
C. Miller
Wells

SENATE FILE 2204

State Government
Coleman, Chair
Welsh
Drake

SENATE FILE 2207

State Government
Carr, Chair
Slater
Bruner
Nystrom
Schwengels

SENATE FILE 2209

Transportation
Drake, Chair
Priebe
Hall

SENATE FILE 2178

Ways & Means
Rodgers, Chair
Brown
Soorholtz

SENATE FILE 2190

Ways & Means
Dieleman, Chair
Deluhery
Readinger

SENATE FILE 2201

Agriculture
Vande Hoef, Chair
Hutchins
Van Gilst

SENATE FILE 2206

Judiciary
Coleman, Chair
Drake
Deluhery

SENATE FILE 2208

Transportation
Drake, Chair
Priebe
Hall

SENATE FILE 2210

Ways & Means
Deluhery, Chair
Dieleman
Soorholtz

SENATE FILE 2211

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

SENATE FILE 2218

Transportation
Priebe, Chair
Drake
Jensen

SENATE FILE 2229

Education
Gratias, Chair
Ritsema
Anderson

HOUSE FILE 456

Local Government
Brown, Chair
Briles
Mann

HOUSE FILE 590

State Government
Slater, Chair
Welsh
Briles

HOUSE FILE 2129

Judiciary
Gentleman, Chair
Mann
Ritsema

HOUSE FILE 2172

Labor & Industrial Relations
Wells, Chair
Jensen
Hutchins

SENATE FILE 2216

Local Government
Colton, Chair
Wells
Waldstein

SENATE FILE 2219

Education
Brown, Chair
Gratias
Colton

HOUSE FILE 205

Local Government
Mann, Chair
Wells
Waldstein

HOUSE FILE 540

Labor & Industrial Relations
Colton, Chair
Hulse
Wells

HOUSE FILE 2065

Commerce
Deluhery, Chair
Gallagher
Bruner
Tieden
Nystrom

HOUSE FILE 2164

Judiciary
Mann, Chair
Ritsema
Welsh

HOUSE FILE 2185

Education
Colton, Chair
Gallagher
Ritsema

HOUSE FILE 2194

Local Government
C. Miller, Chair
Colton
Waldstein

HOUSE FILE 2220

Local Government
A. Miller, Chair
Briles
Wells

HOUSE FILE 2265

Education
Horn, Chair
Gratias
Anderson

HOUSE FILE 2295

State Government
Slater, Chair
Carr
Rife

SSB 2209

Ways & Means
Van Gilst, Chair
Carr
Gratias

SSB 2211

Ways & Means
Van Gilst, Chair
Carr
Holden

SSB 2216

Labor & Industrial Relations
Gettings, Chair
Slater
Jensen

SSB 2218

State Government
Slater, Chair
Drake
Welsh

HOUSE FILE 2218

Ways & Means
Palmer, Chair
Carr
Dieleman
Holden
Gratias

HOUSE FILE 2264

Judiciary
Gentleman, Chair
Mann
Welsh

HOUSE FILE 2295

Ways & Means
Palmer, Chair
Rodgers
Carr
Readinger
Gratias

SSB 2138-A

State Government
Carr, Chair
Slater
Briles

SSB 2210

Ways & Means
Palmer, Chair
Holden
Gratias

SSB 2212

Ways & Means
Small, Chair
Deluhery
Hester

SSB 2217

State Government
Nystrom, Chair
Drake
Coleman

SSB 2219

Labor & Industrial Relations
Anderson, Chair
Hultman
Hutchins

SSB 2220

Commerce
Priebe, Chair
Jensen
Palmer

SSB 2222

Transportation
Welsh, Chair
Coleman
Lind

SSB 2224

Human Resources
Mann, Chair
Horn
Ritsema

SSB 2226

State Government
Drake, Chair
Slater
Carr

SSB 2228

Human Resources
Mann, Chair
Slater
Gentleman

SSB 2230

Agriculture
Van Gilst, Chair
Hutchins
Hester

SSB 2233

State Government
Slater, Chair
Carr
Nystrom

SSB 2235

Energy
Van Gilst, Chair
Brown
Rife

SSB 2221

Education
Gratias, Chair
Colton
Wells

SSB 2223

Commerce
Palmer, Chair
Holden
Tieden

SSB 2225

Human Resources
Mann, Chair
Slater
Ritsema
Gentleman
Horn

SSB 2227

State Government
Carr, Chair
Nystrom
Slater
Schwengels
Bruner

SSB 2229

Judiciary
Ritsema, Chair
Holt
Horn

SSB 2231

Agriculture
Priebe, Chair
Husak
Hester

SSB 2234

Small Business &
Economic Development
Rodgers, Chair
Taylor
A. Miller

SSB 2237

Human Resources
Slater, Chair
Carr
Soorholtz

SSB 2238

State Government
Slater, Chair
Carr
Nystrom

SSB 2241

State Government
Nystrom, Chair
Carr
Schwengels

LSB 3525S

Local Government
Wells, Chair
C. Miller
Waldstein

LSB 3851S 70

Agriculture
Priebe, Chair
Husak
Hester

LSB 3886S

Transportation
Drake, Chair
Coleman
Welsh

LSB 4097S 70

Agriculture
Husak, Chair
Hutchins
Vande Hoef

SSB 2240

State Government
Nystrom, Chair
Carr
Schwengels

LSB 3524S

Local Government
A. Miller, Chair
Goodwin
C. Miller

LSB 3795S

Local Government
Waldstein, Chair
A. Miller
Wells

LSB 3866S

Commerce
Bruner, Chair
Deluhery
Tieden

LSB 4058S

Local Government
Colton, Chair
Wells
Goodwin

LSB 4149S

Transportation
Doyle, Chair
Coleman
Jensen

COMMUNICATION

The following communication was filed with the Secretary of the Senate on March 1, 1984:

February 28, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

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 27, 1983.

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

Very truly yours,
RICHARD D. JOHNSON
 Chairman
 STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
 Secretary of the Senate

**OFFICE
 STATE COMPTROLLER**

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
1034-70-25	Larry Edward Lalor 1506 Green, Apt. C. Adel, Iowa 50003 License Fee Refund	Undetermined	Disapproved
1056-70-25	20th Century Plastics 3628 Crenshaw Blvd. Los Angeles, CA 90016 Outdated Invoice	\$ 72.82	Disapproved
1206-70-25	Freda F. Rott 918 7th Avenue NW Independence, Iowa 50644 Unused Sick Leave Payment	Undetermined	Disapproved
1371-70-25	Lyle H. Dickinson 3217 Friendship Street Iowa City, Iowa 52240 Retroactive Pay	6,539.20	Disapproved
1591-70-25	Sharon Marie Meek 845 First Avenue SE Cedar Rapids, Iowa 52401 License Plate Refund	10.00	Disapproved
1626-70-25	Nellie A. Cobb 3107 5th Avenue Des Moines, Iowa 50313 Health Insurance Coverage	Undetermined	Disapproved
1658-70-25	N.A.B. Trucking Company, Inc. 545 W. McCarty Indianapolis, Indiana Permit Refund	320.00	Disapproved

FURTHER
REPORTS OF COMMITTEE MEETINGS

AGRICULTURE*

*A previous report of the meeting was recorded on pages 606-607 of the Senate Journal.

Final Bill Action: SENATE FILE 2279 (SSB 2231), a bill for an act relating to declaring a two year mortorium on mortgages, contracts, operating loans, loans for personal property when the property is being used for farming or the operation of a small business.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, Van Gilst, Gallagher, Husak, Hutchins, A. Miller, Taylor and Waldstein. Nays, 2: Hester and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION*

*A previous report of this meeting was recorded on page 609 of the Senate Journal.

Final Bill Action: SENATE FILE 2284 (SSB 2176), a bill for an act relating to lease-purchase agreements made by an area education agency.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Anderson, Gratias, Colton, Gallagher, Horn and Wells. Nays, 2: Ritsema and Taylor. Absent or not voting, 1: Lind (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2290 (SSB 2204), a bill for an act relating to the references to "voters" in regard to school district boundary petitions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Wells, Ritsema and Taylor. Nays, none. Absent or not voting, 1: Lind (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES*

*A previous report of this meeting was recorded on page 610 of the Senate Journal.

Final Bill Action: SENATE FILE 2278 (SSB 2198), a bill for an act relating to criteria for the issuance of a certificate of need by the state health facilities council.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2281 (SSB 2237), a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Ristema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2293, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on page 589 of the Senate Journal.

Final Bill Action: SENATE FILE 2269, a bill for an act limiting the amount charged employed county prisoners for meals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 4: Mann, Coleman, Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 4: Mann, Coleman, Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2271, a bill for an act relating to the department of public safety by providing for representation of members in criminal actions and the designation of department members as department administrative hearing officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2283 (SSB 2162), a bill for an act relating to the death of a fire fighter during an arson and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Doyle, Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn and Welsh. Nays, 2: Ritsema and Gentleman. Absent or not voting, 3: Mann, Briles and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on pages 610-611 of the Senate Journal.

Final Bill Action: SENATE FILE 2268 (SSB 2158), a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Drake, Mann, Briles and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2272, a bill for an act relating to modification of orders made in proceedings for dissolution of marriage, annulment or separate maintenance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 3: Mann, Briles and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT*

*A previous report of this meeting was recorded on page 612 of the Senate Journal.

Final Bill Action: SENATE FILE 2285 (SSB 2215), a bill for an act permitting the deposit of a credit union certified share draft as security on a bid for a contract for a public improvement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Husak, Doyle, Taylor, Anderson, Gratias, Hulse, Hutchins, A. Miller, Readinger and Rodgers. Nays, none. Absent or not voting, 2: Lind (excused) and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2286, a bill for an act to amend the merit review standards for new issues of securities under the Iowa blue sky law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Husak, Doyle, Taylor, Anderson, Gratias, Hulse, Hutchins, Mann, A. Miller, Readinger and Rodgers. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 589-590 of the Senate Journal.

Final Bill Action: SENATE CONCURRENT RESOLUTION 106 (SSB 2067), a resolution citing legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services as drafted in accordance with Public Law 94-519.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Schwengels, Soorholtz, Rife and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2276 (SSB 190), a bill for an act relating to the state board of engineering examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Briles, Bruner, Drake, Dieleman, Gettings, Coleman, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2280 (SSB 2139), a bill for an act relating to the competitive bidding procedures of the department of general services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Slater, Carr, Nystrom, Briles, Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILL RECEIVED

S.S.B. 2245 State Government

Requiring the board of regents and the department of job service to exercise voting rights in stock to require companies in which they hold stock to cease doing business with or in or making investment in the Republic of South Africa or to refrain from initiating such activities.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Convened: March 1, 1984, 11:25 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Waldstein, Ranking Member; Taylor and Anderson.

Members Absent: none.

Other Committee Business: Presentations by Rebecca Burke of the Iowa Commission on the Status of Women regarding the feminization of poverty and by Twila Young on the Job Partnership Training Act.

Adjourned: 12:00 noon.

COMMERCE

Convened: March 1, 1984, 4:34 p.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Deluhery, Gallagher, Holden, Nystrom, Palmer and Tieden.

Members Absent: Bruner.

Final Bill Action: SENATE FILE 2291 (SSB 2156), a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Deluhery, Gallagher, Holden, Nystrom, Palmer and Tieden. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:51 p.m.

HUMAN RESOURCES

Convened: March 2, 1984, 11:45 a.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Gratiias, Horn, Ritsema and Soorholtz.

Members Absent: Briles, Coleman, Hall, Mann and Slater (both excused.)

Final Bill Action: SENATE FILE 2292 (SSB 2018), a bill for an act relating to the definition of child abuse and admissibility of certain tape recordings as evidence in child in need of assistance cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Carr, C. Miller, Gentleman, Gratiias, Horn, Ritsema and Soorholtz. Nays, none. Absent or not voting, 5: Briles, Coleman, Hall, Mann and Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 11:50 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: March 1, 1984, 1:10 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Gratiias, Hulse, Hutchins, A. Miller, Readinger and Rodgers.

Members Absent: Lind and Mann (both excused.)

Final Bill Action: SENATE FILE 2287, a bill for an act relating to job training by establishing an Iowa job training and coordination program and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Husak, Doyle, Taylor, Anderson, Gratiias, Hulse, Hutchins, A. Miller, Readinger and Rodgers. Nays, none. Absent or not voting, 2: Lind and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2288, a bill for an act relating to the state's acquisition and use of space in a world trade center.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Husak, Taylor, Anderson, Gratias, Hulse, Hutchins, A. Miller, Readinger and Rodgers. Nays, 1: Doyle. Absent or not voting, 2: Lind and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2289, a bill for an act relating to the involvement of the state in a world trade center.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Husak, Anderson, Gratias, Hulse, Hutchins, A. Miller, Readinger and Rodgers. Nays, 1: Doyle. Absent or not voting, 3: Lind, Mann and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 2:20 p.m.

STATE GOVERNMENT

Convened: March 1, 1984, 2:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: Briles (excused.)

Final Bill Action: SENATE FILE 2274 (SSB 156), a bill for an act relating to license operators of radiation emitting equipment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2275 (SSB 270), a bill for an act relating to the Iowa housing finance authority by establishing a health care equipment program for the purpose of issuing bonds to assist health care providers in obtaining and financing health care equipment and changing the name of the authority.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 13: Slater, Carr, Bruner, Nystrom, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2277 (SSB 2233), a bill for an act relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 3:35 p.m.

STATE GOVERNMENT

Convened: March 2, 1984, 11:15 a.m.

Members Present: Slater, Chair; Carr, Vice Chair; Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member (excused); Briles and Schwengels (excused.)

Final Bill Action: SENATE FILE 2294 (SSB 2133), a bill for an act relating to the examination of government records by providing for the procedures for their examination, for enforcement of those procedures, for the availability of certain records, and for the duties of the lawful custodians and providing for civil damages.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Slater, Carr, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Nystrom, Briles and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; SSB 2245 failed recommendation for passage.

Adjourned: 11:55 a.m.

TRANSPORTATION

Convened: March 1, 1984, 2:24 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Nystrom, Priebe and Welsh.

Members Absent: Lind (excused.)

Final Bill Action: SENATE FILE 2273, a bill for an act to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Nystrom, Priebe and Welsh. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Deferred action on SSB 2196 and Senate Files 2064, 2204 and 2118.

Adjourned: 2:36 p.m.

AMENDMENTS FILED

S—5210	S. F.	2093	Lowell L. Junkins
S—5211	S. F.	2238	Douglas Ritsema
S—5212	S. F.	489	Emil J. Husak

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 12:55 p.m., until 10:00 a.m., Monday, March 5, 1984.

JOURNAL OF THE SENATE

647

FIFTY-SEVENTH CALENDAR DAY THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 5, 1984

The Senate met in regular session at 10:00 a.m., President Anderson presiding.

Prayer was offered by the Reverend Ida James, pastor of the Bethel African Methodist Episcopal Church, Des Moines, Iowa.

The Journal of Friday, March 2, 1984, was approved.

INTRODUCTION OF BILLS

Senate File 2295, by Committee on Labor and Industrial Relations, a bill for an act prohibiting reductions in sick leave, vacation leave, or compensatory time entitlements while an employee is receiving weekly workers' compensation benefits.

Read first time and placed on calendar.

Senate File 2296, by Committee on Labor and Industrial Relations, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases.

Read first time and placed on calendar.

Senate File 2297, by Committee on Labor and Industrial Relations, a bill for an act relating to the payment of workers' compensation benefits in pneumoconiosis cases.

Read first time and placed on calendar.

QUORUM CALL

Senator Junkins 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 BILLS
(Noncontroversial Calendar)

Senate File 2202

On motion of Senator Holden, Senate File 2202, a bill for an act relating to the procedure required for a savings and loan association chartered in another state or country to transact business in Iowa, was taken up for consideration.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2202) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Husak Nystrom

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2189.

Senate File 2189

On motion of Senator Tieden, Senate File 2189, a bill for an act relating to bacterial and organoleptic milk standards, with report of committee recommending passage, was taken up for consideration.

Senator Tieden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2189) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Coleman	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 2230

On motion of Senator Mann, Senate File 2230, a bill for an act relating to the inspection of jails and municipal holding facilities by the Iowa department of corrections, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2230) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Husak	Rodgers	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 2237

On motion of Senator Ritsema, Senate File 2237, a bill for an act relating to the appointment, terms, retention and qualifications of magistrates, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2237) the vote was:

Ayes, 47:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema

Rodgers
Taylor
Waldstein

Slater
Tieden
Wells

Small
Vande Hoef
Welsh

Soorholtz
Van Gilst

Nays, 1:

Briles

Absent or not voting, 2:

Husak

Schwengels

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2163.

Senate File 2163

On motion of Senator Horn, Senate File 2163, a bill for an act relating to the definition of "best interest of the child" during dissolution proceedings, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—5160 filed by the committee on Judiciary on February 27, 1984, to page 1 and to the title page of the bill.

Senator Mann offered amendment S—5213 filed by him from the floor to page 2 of amendment S—5160 and moved its adoption.

Amendment S—5213 was adopted by a voice vote.

Senator Holt took the chair at 10:48 a.m.

Senator Mann moved the adoption of amendment S—5160 as amended.

A non record roll call was requested.

The ayes were 25, nays 23.

Amendment S—5160 as amended was adopted.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2163) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Slater	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 6:

Gentleman	Holden	Lind	Ritsema
Small	Van Gilst		

Absent or not voting, 2:

Husak	Schwengels
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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 Senate File 2163 passed the Senate on March 5, 1984.

CALVIN O. HULTMAN

CONFIRMATION OF APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Junkins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Iowa Higher Education Loan Authority

Mary B. Haldane, committee recommendation found on page 343 of the Senate Journal.

Tax Study Committee

Mary E. Chalupsky, committee recommendation found on page 290 of the Senate Journal.

Senator Junkins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Husak Schwengels

The appointees having received a two-thirds vote was declared to have been confirmed by the Senate.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2214

Senator Miller of Cerro Gordo withdrew the motion to reconsider Senate File 2214, a bill for an act relating to the regulation of hazardous waste and subjecting violators to a civil penalty, filed by him on March 1, 1984, and found on page 615 of the Senate Journal.

MOTION TO RECONSIDER ADOPTED

Senator Colton called up the motion to reconsider Senate File 2130 filed by him on February 9, 1984, found on page 377 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2130) the vote was:

Ayes, 29:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Horn	Husak	Hutchins	Junkins
Kinley	Mahn	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Rodgers
Slater	Small	Van Gilst	Wells
Welsh			

Nays, 19:

Briles	Drake	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Hultman	Jensen	Lind
Readinger	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Schwengels	Waldstein
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The motion prevailed.

Senator Colton moved to reconsider the vote by which Senate File 2130 went to its last reading, which motion prevailed by a voice vote.

Senate File 2130

On motion of Senator Colton, Senate File 2130, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date, was taken up for reconsideration.

Senator Brown offered amendment S—5201 filed by him on March 1, 1984, to pages 1 and 11 and the title page of the bill and called for division of the amendment: lines 4 and 5 as division S—5201A : lines 2 and 3 and lines 6 through 9 as division S—5201B.

Senator Brown withdrew division S—5201A.

Senator Brown moved the adoption of division S—5201B, which motion prevailed by a voice vote.

Senator Brown offered amendment S—5178 filed by Senators Brown and Colton on February 28, 1984, to pages 1 through 12 of the bill.

Senator Brown offered amendment S—5204 filed by him on March 1, 1984, to pages 7 through 9 of amendment S—5178 and moved its adoption.

Amendment S—5204 was adopted by a voice vote.

Senator Brown moved the adoption of amendment S—5178 as amended, which motion prevailed by a voice vote.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2130) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 33:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Horn	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rife
Ritsema	Rodgers	Slater	Small
Tieden	Van Gilst	Waldstein	Wells
Welsh			

Nays, 15:

Briles	Drake	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Hultman	Jensen	Readinger
Soorholtz	Taylor	Vande Hoef	

Absent or not voting, 2:

Nystrom	Schwengels
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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.

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 March 2, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2217, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 2298, by Committee on Transportation, a bill for an act to require the state department of transportation to include all federal funds in its annual or biennial budget which funds are subject to appropriation to the department.

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

Senate File 2299, by Committee on Education, a bill for an act relating to funds available to school districts and making an appropriation.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 11:50 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Anderson presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 107, by Committee on Agriculture, a resolution calling for the United States Congress to enact into law the Agricultural Producers Antitrust Access Act.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 2300, by Committee on Judiciary, a bill for an act relating to the sentencing of habitual offenders under section 902.8

Read first time and placed on calendar.

Senate File 2301, by Committee on Judiciary, a bill for an act relating to the protection of lienholders' and certificate holders' advancements.

Read first time and placed on calendar.

Senate File 2302, by Committee on Judiciary, a bill for an act relating to grave or burial memorials by allowing their confiscation and return by law enforcement agencies.

Read first time and placed on calendar.

Senate File 2303, by Committee on Judiciary, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and eliminating governmental immunity for public improvements.

Read first time and placed on calendar.

Senate File 2304, by Committee on Judiciary, a bill for an act relating to penalties for fraudulently obtaining, manufacturing, delivering, or possessing with intent to manufacture or deliver, a controlled substance.

Read first time and placed on calendar.

Senate File 2305, by Committee on Judiciary, a bill for an act relating to mortgage redemption periods.

Read first time and placed on calendar.

Senate File 2306, by Committee on Judiciary, a bill for an act authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data.

Read first time and placed on calendar.

Senate File 2307, by Committee on Agriculture, a bill for an act creating a valuation review commission and providing for its powers and relating to the valuation of agricultural property for property tax purposes.

Read first time and placed on calendar.

Senate File 2308, by Committee on Agriculture, a bill for an act permitting a financial institution to retain ownership of farmland for up to five years if the land is acquired by foreclosure of a mortgage.

Read first time and placed on calendar.

QUORUM CALL

Senator Junkins 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 BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2215.

Senate File 2215

On motion of Senator Brown, Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt for the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract, was taken up for consideration.

Senator Ritsema offered amendment S—5205 filed by him on March 1, 1984, to pages 1 through 3 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5205 be adopted?" (S.F. 2215) the vote was:

Ayes, 18:

Briles	Dieleman	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Priebe
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef		

Nays, 30:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Readinger	Rodgers
Slater	Small	Van Gilst	Waldstein
Wells	Welsh		

Absent or not voting, 2:

Lind	Rife
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Amendment S—5205 lost.

Senator Junkins asked and received unanimous consent that further action on Senate File 2215 be deferred.

UNFINISHED BUSINESS

(Deferred March 2, 1984)

House File 2295

The Senate resumed consideration of House File 2295, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of

the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date, deferred on March 2, 1984.

Senator Dieleman offered amendment S—5215 filed by him from the floor to pages 4, 7 and 18 of the bill.

Senator Gallagher called for a division of amendment S—5215: lines 3 and 4 as division S—5215A; lines 5 through 7 as division S—5215B and line 8 as division S—5215C.

Senator Dieleman moved the adoption of division S—5215A.

A record roll call was requested.

On the question "Shall division S—5215A be adopted?" (H.F. 2295) the vote was:

Ayes, 22:

Briles	Bruner	Coleman	Deluhery
Gallagher	Goodwin	Gratias	Hester
Holden	Holt	Hulse	Hultman
Jensen	Miller, A.V.	Nystrom	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst		

Nays, 26:

Anderson	Brown	Carr	Colton
Dieleman	Doyle	Gentleman	Gettings
Hall	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Rodgers	Slater	Small	Waldstein
Wells	Welsh		

Absent or not voting, 2:

Drake	Lind
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Division S—5215A lost.

Senator Dieleman moved the adoption of division S—5215B and requested a record roll call.

On the question "Shall division S—5215B be adopted?" (H.F. 2295) the vote was:

Ayes, 17:

Briles	Coleman	Deluhery	Dieleman
Goodwin	Gratias	Hester	Holden
Holt	Hulse	Jensen	Miller, A.V.
Nystrom	Schwengels	Taylor	Vande Hoef
Van Gilst			

Nays, 31:

Anderson	Brown	Bruner	Carr
Colton	Doyle	Drake	Gallagher
Gentleman	Gettings	Hall	Horn
Hultman	Husak	Junkins	Kinley
Mann	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Absent or not voting, 2:

Hutchins	Lind
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Division S—5215B lost.

Senator Dieleman moved the adoption of division S—5215C.

A non record roll call was requested.

The ayes were 18, nays 30.

Division S—5215C lost.

Senator Waldstein offered amendment S—5202 filed by him on March 1, 1984, to page 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 31.

Amendment S—5202 lost.

Senator Gallagher offered amendment S—5218 filed by Senators Gallagher, et al., from the floor to pages 8 and 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5218 be adopted?" (H.F. 2295) the vote was:

Ayes, 15:

Coleman	Colton	Dieleman	Doyle
Gallagher	Goodwin	Gratias	Hall
Holden	Hultman	Jensen	Priebe
Taylor	Tieden	Wells	

Nays, 34:

Anderson	Briles	Brown	Bruner
Carr	Deluhery	Drake	Gentleman
Gettings	Hester	Holt	Horn
Hulse	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Vande Hoef	Van Gilst
Waldstein	Welsh		

Absent or not voting, 1:

Lind

Amendment S—5218 lost.

Senator Vande Hoef offered amendment S—5229 filed by Senators Vande Hoef and Hester from the floor to pages 8 and 9 of the bill and moved its adoption.

Amendment S—5229 lost by a voice vote.

Senator Vande Hoef offered amendment S—5230 filed by Senators Vande Hoef and Hester from the floor to pages 8 and 9 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 30.

Amendment S—5230 lost.

Senator Holden offered amendment S—5200 filed by him on March 1, 1984, to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 28.

Amendment S—5200 lost.

Senator Waldstein offered amendment S—5232 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 21, nays 25.

Amendment S—5232 lost.

Senator Gallagher offered amendment S—5233 filed by him from the floor to page 9 of the bill and moved its adoption.

Amendment S—5233 lost by a voice vote.

Senator Gettings withdrew amendment S—5234 filed by him from the floor to page 9 of the bill.

Senator Ritsema offered amendment S—5231 filed by him from the floor to page 15 of the bill.

Senator Slater raised the point of order that amendment S—5231 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5231 in order.

Senator Ritsema moved the adoption of amendment S—5231 and requested a record roll call.

On the question "Shall amendment S—5231 be adopted?" (H.F. 2295) the vote was:

Ayes, 16:

Dieleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulse
Hultman	Jensen	Priebe	Ritsema
Schwengels	Taylor	Vande Hoef	Van Gilst

Nays, 32:

Anderson	Briles	Brown	Bruner
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Carr	Coleman	Colton	Deluhery
Doyle	Drake	Gallagher	Gentleman
Gettings	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Tieden	Wells	Welsh

Absent or not voting, 2:

Lind Waldstein

Amendment S—5231 lost.

Senator Dieleman called up the following motion to reconsider filed by him from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which division S—5215A to House File 2295 failed to be adopted by the Senate on March 5, 1984.

The motion lost by a voice vote.

Senator Gallagher offered amendment S—5236 filed by him from the floor to page 9 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5236 be adopted?" (H.F. 2295) the vote was:

Ayes, 13:

Carr	Coleman	Colton	Gallagher
Gratias	Hall	Holden	Jensen
Ritsema	Taylor	Tieden	Waldstein
Wells			

Nays, 34:

Anderson	Brown	Bruner	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Hester	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Van Gilst	Welsh		

Absent or not voting, 3:

Briles

Lind

Vande Hoef

Amendment S—5236 lost.

Senator Colton took the chair at 4:30 p.m.

President Anderson took the chair at 4:53 p.m.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2295) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Anderson

Brown

Carr

Coleman

Colton

Doyle

Gallagher

Gentleman

Gettings

Hall

Horn

Hultman

Hutchins

Junkins

Kinley

Mann

Miller, C.P.

Palmer

Priebe

Readinger

Rife

Rodgers

Slater

Small

Tieden

Wells

Welsh

Nays, 22:

Briles

Bruner

Deluhery

Dieleman

Drake

Goodwin

Gratias

Hester

Holden

Holt

Hulse

Husak

Jensen

Miller, A.V.

Nystrom

Ritsema

Schwengels

Soorholtz

Taylor

Vande Hoef

Van Gilst

Waldstein

Absent or not voting, 1:

Lind

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

Senator Junkins asked unanimous consent that House File 2295 be immediately messaged to the House.

Objection was raised by Senator Gallagher.

Senator Junkins withdrew his request.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2295 passed the Senate on March 5, 1984.

JAMES V. GALLAGHER

WITHDRAWN

Senator Small asked and received unanimous consent that Senate File 2246 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 March 5, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2338, a bill for an act requiring telephone companies to provide a listing of directory assistance charges and striking a prohibition against directory assistance charges for telephone numbers which do not appear in the most recent telephone directory.

This bill was read first time and referred to the committee on Commerce.

APPENDIX

CERTIFICATE OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificate of recognition has been issued as follows:

The City of Sutherland, Iowa—Their progressive achievements and unified efforts on this Community Recognition Day. Senator Vande Hoef. (March 3, 1984.)

FURTHER REPORTS OF COMMITTEE MEETINGS

AGRICULTURE*

*A previous report of this meeting was recorded on pages 606-607 of the Senate Journal.

Final Bill Action: SENATE FILE 2307 (SSB 2230) a bill for an act relating to the valuation of agricultural property for property tax purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2308, a bill for an act relating to permitting a state bank to retain ownership of farm land for up to five years if the land is acquired by foreclosure of a mortgage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION*

*A previous report of this meeting was recorded on page 609 of the Senate Journal.

Final Bill Action: SENATE FILE 2299 (SSB 2239), a bill for an act relating to funds available to school districts and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Anderson, Gratias, Colton, Gallagher, Horn and Wells. Nays, 2: Ritsema and Taylor. Absent or not voting, 1: Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on pages 610-611 of the Senate Journal.

Final Bill Action: SENATE FILE 2300, a bill for an act relating to the sentencing of habitual offenders under section 902.8.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Mann, Briles, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2301 (SSB 2036), a bill for an act relating to the protection of lienholders' and certificate holders' advancements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, 1: Deluhery. Absent or not voting, 3: Mann, Briles and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2302, a bill for an act relating to grave or burial memorials by allowing their confiscation and return by law enforcement agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Mann, Briles, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2303, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and eliminating governmental immunity for public improvements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Mann, Briles, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2304 (SSB 2229), a bill for an act relating to penalties for fraudulently obtaining, manufacturing, delivery, or possessing with intent to manufacture or deliver, a controlled substance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Mann, Briles, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2305 (SSB 2161), a bill for an act relating to mortgage redemption periods.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 3: Mann, Briles and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2306 (SSB 2170), a bill for an act authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Ritsema, Dieleman, Drake, Goodwin, Holt, Horn and Small. Nays, 2: Gentleman and Deluhery. Absent or not voting, 4: Mann, Coleman, Briles and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**S.S.B. 2246 Ways and Means**

Limiting the military service property tax exemption to those who have served on active duty for at least ninety consecutive days.

S.S.B. 2247 Education

To establish licensing authority for educational practitioners by reestablishing the Iowa board of educational examiners; and redefining its membership and duties.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: March 1, 1984, 4:22 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Gallagher, Husak, Hutchins, A. Miller, Taylor and Vande Hoef.

Members Absent: Waldstein.

Final Bill Action: SENATE RESOLUTION 107, a resolution calling for the U.S. Congress to enact into law the Agricultural Producers Antitrust Access Act.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:33 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 1, 1984, 3:35 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair; Hulse, Ranking Member; Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 2295 (SSB 2219), a bill for an act prohibiting reductions in sick leave, vacation leave, or compensatory time entitlements while an employee is receiving weekly workers' compensation benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Anderson, Slater, Hulse, Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2296, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Anderson, Slater, Hulse, Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2297 (SSB 2216), a bill for an act relating to the payment of workers' compensation benefits in pneumoconiosis cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Anderson, Slater, Hulse, Colton, Gettings, Hutchins and Wells. Nays, 2: Jensen and Vande Hoef. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 540, a bill for an act relating to the definitions of an employer and employee in chapter 91A.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Anderson, Slater, Hulse, Colton, Gettings, Hutchins, Jensen, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2172, a bill for an act relating to the surety bond required for an employment agency license.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Anderson, Slater, Hulse, Colton, Gettings, Hutchins, Jensen, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 3:50 p.m.

TRANSPORTATION

Convened: March 2, 1984, 11:13 a.m.

Members Present: Coleman, Chair; Drake, Ranking Member; Doyle, Hall, Jensen and Priebe.

Members Absent: A. Miller, Vice Chair; Nystrom, Welsh and Lind (excused.)

Final Bill Action: SENATE FILE 2298, a bill for an act to require the state department of transportation to include all federal funds in its annual or biennial budget which funds are subject to appropriation to the department.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Coleman, Drake, Doyle, Hall, Jensen and Priebe. Nays, none. Absent or not voting, 4: A. Miller, Nystrom, Welsh and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 11:16 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2295 passed the Senate on March 5, 1984.

WILLIAM D. PALMER

PRESENTATIONS OF VISITORS

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

Fifty students from Reinbeck High School, Reinbeck, Iowa, accompanied by Marvin Cook. Senator Jensen.

PETITIONS

The following petition was presented and placed on file by:

Senator Taylor from five residents of Wright County favoring legislation changing laws relating to open drainage ditches and adopt rules for maintenance of these open ditches.

The following petitions favoring legislation to bar further investment of state funds in companies whose business activities contribute to the support of the apartheid regime in the Republic of South Africa and provide for divestment of invested funds in a manner which will maintain or improve present investment returns were presented and placed on file by:

Senators Bruner, Mann and Slater from five hundred eighty-three residents of Iowa.

Senator Dieleman from two hundred forty-three residents of Iowa.

The following petitions favoring legislation relating to missing persons and the time and manner in which missing person investigations are to be performed were presented and placed on file by:

Senator Waldstein from one hundred twenty-six residents of Iowa.

Senator Waldstein from forty residents of Pocahontas, Buena Vista and Sac Counties.

AMENDMENTS FILED

S—5213	S. F.	2163	Tom Mann, Jr.
S—5214	S. F.	2231	Tom Mann, Jr.
S—5215	H. F.	2295	Wm. W. (Bill) Dieleman
S—5216	H. F.	257	Wm. W. (Bill) Dieleman Edgar H. Holden Ted Anderson
S—5217	S. F.	2069	Edgar H. Holden
S—5218	H. F.	2295	James V. Gallagher Berl E. Priebe Hurley W. Hall C. Joseph Coleman
S—5219	S. F.	2014	Milo Colton
S—5220	S. F.	2014	Milo Colton
S—5221	S. F.	2014	Milo Colton
S—5222	S. F.	2252	David M. Readinger Donald V. Doyle
S—5223	S. F.	2215	Calvin O. Hultman
S—5224	S. F.	2215	Arthur L. Gratias
S—5225	S. F.	2215	Arthur L. Gratias
S—5226	S. F.	2215	Ray Taylor Arthur L. Gratias
S—5227	H. F.	316	Patrick J. Deluhery
S—5228	S. F.	2279	Berl E. Priebe
S—5229	H. F.	2295	Richard Vande Hoef Jack W. Hester
S—5230	H. F.	2295	Richard Vande Hoef Jack W. Hester
S—5231	H. F.	2295	Douglas Ritsema
S—5232	H. F.	2295	Arne Waldstein
S—5233	H. F.	2295	James V. Gallagher
S—5234	H. F.	2295	Don E. Gettings
S—5235	S. F.	2248	Tom Slater Ted Anderson Bob Carr
S—5236	H. F.	2295	James V. Gallagher
S—5237	S. F.	2253	Joe J. Welsh

S-5238	S. F.	2253	Joe J. Welsh
S-5239	S. F.	2271	Joe J. Welsh
S-5240	S. F.	2262	Edgar H. Holden
S-5241	S. F.	54	Norman G. Rodgers
S-5242	S. F.	2206	Donald V. Doyle Charles P. Miller
S-5243	S. F.	2014	Milo Colton
S-5244	S. F.	2014	Milo Colton
S-5245	S. F.	2014	Milo Colton
S-5246	S. F.	190	Arne Waldstein John W. Jensen
S-5247	S. F.	2220	Patrick J. Deluhery James V. Gallagher Tom Mann, Jr. Charles Bruner James D. Wells Charles P. Miller
S-5248	S. F.	2220	Richard F. Drake Berl E. Priebe

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:15 p.m., until 9:00 a.m., Tuesday, March 6, 1984.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 6, 1984

The Senate met in regular session at 9:04 a.m., President Anderson presiding.

Prayer was offered by the Reverend Tompsie Duecker, pastor of the Emmanuel United Methodist Church, Granger, Iowa.

The Journal of Monday, March 5, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Soorholtz for the day and March 7 and 8 on request of Senator Hultman.

Senator Colton took the chair at 9:13 a.m.

President Anderson took the chair at 9:16 a.m.

POINT OF ORDER

(Bill Referred To Committee)

Senator Hultman raised the point of order that Senate File 2287 be referred from the Regular Calendar to the committee on Appropriations under Senate Rule 38.

The Chair ruled the point well taken and Senate File 2287 was referred from the Regular Calendar to the committee on Appropriations under Senate Rule 38.

CONSIDERATION OF BILL

(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 32.

Senate File 32

On motion of Senator Horn, Senate File 32, a bill for an act to prohibit the recording of speeding tickets for certain violations fifteen miles per hour or less over the posted limit, subject to a penalty provided by law, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn offered amendment S—5161 filed by the committee on Judiciary on February 27, 1984, to pages 1 and 2 and to the title page of the bill and moved its adoption.

Amendment S—5161 was adopted by a voice vote.

Senator Van Gilst took the chair at 9:34 a.m.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 32) the vote was:

Ayes, 41:

Anderson	Briles	Brown	Coleman
Colton	Deluhery	Dieleman	Doyle
Gallagher	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Rife
Rodgers	Schwengels	Small	Taylor
Tieden	Van Gilst	Waldstein	Wells
Welsh			

Nays, 7:

Bruner	Carr	Drake	Gentleman
Readinger	Ritsema	Vande Hoef	

Absent or not voting, 2:

Slater	Soorholtz
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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.

UNFINISHED BUSINESS

(Deferred March 2, 1984)

House File 257

The Senate resumed consideration of House File 257, a bill for an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties, deferred on March 2, 1984.

Senator Dieleman offered amendment S—5216 filed by Senators Dieleman, Holden and Anderson on March 5, 1984, to pages 4 and 5 of the bill and moved its adoption.

Amendment S—5216 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 257) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 3:

Lind	Slater	Soorholtz
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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 Hutchins asked and received unanimous consent to take up out of order Senate File 2057.

Senate File 2057

On motion of Senator Junkins, Senate File 2057, a bill for an act to legalize the proceedings of the board of supervisors of Lee county relating to the compensation of certain county officers and deputies, with report of committee recommending passage, was taken up for consideration.

Senator Junkins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2057) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Half	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinlèy
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Priebe

Absent or not voting, 2:

Palmer Soorholtz

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2244.

Senate File 2244

On motion of Senator Miller of Cerro Gordo, Senate File 2244, a bill for an act relating to public bonds and obligations by correcting references and providing for payment of the costs of registration, was taken up for consideration.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2244) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Palmer Soorholtz

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

CONSIDERATION OF BILL (Noncontroversial Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2238.

Senate File 2238

On motion of Senator Doyle, Senate File 2238, a bill for an act making Code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties, was taken up for consideration.

Senator Ritsema offered amendment S—5211 filed by him on March 2, 1984, to pages 4, 11, 14 and 15 of the bill and moved its adoption.

Amendment S—5211 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2238) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Palmer Soorholtz

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate File 2244 be immediately messaged to the House, which request was complied with.

HOUSE AMENDMENT CONSIDERED

Senate File 190

Senator Slater called up for consideration Senate File 190, a bill for an act relating to leaves of absence for persons who are elected to municipal, county, state, or federal offices and providing penalties, amended by the House in House amendment S—5111 filed February 14, 1984.

Senator Hultman offered amendment S—5189 filed by Senators Hultman and Slater on February 29, 1984, to House amendment S—5111.

Senator Gallagher asked and received unanimous consent that further action on House amendment S—5111, amendment S—5189 to House amendment S—5111 and Senate File 190 be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:35 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2309, by Committee on State Government, a bill for an act relating to the educational requirements of registered professional engineers and registered land surveyors.

Read first time and placed on calendar.

Senate File 2310, by Committee on State Government, a bill for an act relating to payments to state employees for accrued sick leave and disability.

Read first time and placed on calendar.

Senate File 2311, by Committee on State Government, a bill for an act relating to access to records by the legislative fiscal bureau.

Read first time and placed on calendar.

Senate File 2312, by Committee on State Government, a bill for an act relating to the deposit of interest earnings in designated employee insurance funds.

Read first time and placed on calendar.

Senate File 2313, by Committee on State Government, a bill for an act relating to the administration and benefits of certain public retirement systems, to make an appropriation, and to provide a penalty.

Read first time and placed on calendar.

Senate File 2314, by Committee on Local Government, a bill for an act relating to the authority of the department of water, air and waste management regarding the restoration, maintenance or improvement of a drainage district.

Read first time and placed on calendar.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

BUSINESS PENDING

Senate File 190

The Senate resumed consideration of Senate File 190, House amendment S—5111 and amendment S—5189 to House amendment S—5111, previously deferred.

Senator Hultman moved the adoption of amendment S—5189 to House amendment S—5111, which motion prevailed by a voice vote.

Senator Jensen asked and received unanimous consent that further action on House amendment S—5111 as amended and **Senate File 190** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2248.

Senate File 2248

On motion of Senator Bruner, Senate File 2248, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals and providing penalties and authorizing the department of water, air and waste management to adopt hazardous waste rules in respect to hazardous chemicals which are more restrictive than, but consistent with, federal requirements, was taken up for consideration.

Senator Hultman offered amendment S—5261 filed by him from the floor to pages 3, 7, 8 and 9 and to the title page of the bill, moved its adoption and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 23, nays 24.

Amendment S—5261 lost.

Senator Bruner offered amendment S—5258 filed by Senators Bruner, Hultman and Gallagher from the floor to pages 6 through 8 of the bill and moved its adoption.

Amendment S—5258 was adopted by a voice vote.

Senator Doyle withdrew amendment S—5249 filed by him from the floor to page 2 of the bill.

Senator Slater offered amendment S—5235 filed by Senators Slater, Anderson and Carr on March 5, 1984, to page 6 of the bill and moved its adoption.

Amendment S—5235 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on Senate File 2248 be deferred.

BUSINESS PENDING

Senate File 190

The Senate resumed consideration of Senate File 190 and House amendment S—5111 as amended, previously deferred.

Senator Waldstein offered amendment S—5246 filed by Senators Waldstein and Jensen on March 5, 1984, to House amendment S—5111.

Senator Horn raised the point of order that amendment S—5246 to House amendment S—5111 was not germane.

The Chair ruled the point not well taken and amendment S—5246 in order.

Senator Waldstein moved the adoption of amendment S—5246 to House amendment S—5111.

A non record roll call was requested.

The ayes were 22, nays 25.

Amendment S—5246 lost.

Senator Slater moved that the Senate concur in House amendment S—5111 as amended, which motion prevailed by a voice vote.

Senator Slater moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 190) the vote was:

Ayes, 36:

Anderson
Carr
Dieleman
Gratias
Husak
Lind
Palmer

Briles
Coleman
Doyle
Hall
Hutchins
Miller, A.V.
Priebe

Brown
Colton
Gallagher
Horn
Jenkins
Miller, C.P.
Readinger

Brüner
Deluhery
Gettings
Hultman
Kinley
Nystrom
Rife

Rodgers
Tieden

Schwengels
Van Gilst

Slater
Wells

Small
Welsh

Nays, 12:

Drake
Holden
Ritsema

Gentleman
Holt
Taylor

Goodwin
Hulse
Vande Hoef

Hester
Jensen
Waldstein

Absent or not voting, 2:

Mann

Soorholtz

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2206.

Senate File 2206

On motion of Senator Miller of Des Moines, Senate File 2206, a bill for an act relating to the safety and security of passengers on buses and in bus terminals, by establishing criminal offenses and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—5242 filed by Senators Doyle and Miller of Des Moines on March 5, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5242 was adopted by a voice vote.

Senator Ritsema offered amendment S—5259 filed by him from the floor to page 2 of the bill.

Senator Miller of Des Moines called for a division of amendment S—5259: lines 2 through 5 as division S—5259A and line 6 as division S—5259B.

Senator Ritsema moved the adoption of division S—5259A, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on division S—5259B and Senate File 2206 be deferred.

BUSINESS PENDING

Senate File 2248

The Senate resumed consideration of Senate File 2248, previously deferred.

Senator Doyle offered amendment S—5262 filed by him from the floor to page 2 of the bill.

Senator Miller of Cerro Gordo offered amendment S—5265 filed by him from the floor to amendment S—5262 and moved its adoption.

Amendment S—5265 was adopted by a voice vote.

Senator Bruner 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—5265 to amendment S—5262 to Senate File 2248 was adopted by the Senate on March 6, 1984.

The motion prevailed by a voice vote and amendment S—5265 to amendment S—5262 was taken up for reconsideration.

Senator Miller of Cerro Gordo withdrew amendment S—5265 to amendment S—5262.

Senator Dieleman took the chair at 2:51 p.m.

Senator Doyle moved the adoption of amendment S—5262.

A non record roll call was requested.

The ayes were 26, nays 19.

Amendment S—5262 was adopted.

Senator Drake offered amendment S—5266 filed by Senators Drake, Coleman and Welsh from the floor to page 2 of the bill and moved its adoption.

Amendment S—5266 was adopted by a voice vote.

Senator Bruner offered amendment S—5268 filed by Senators Bruner and Hultman from the floor to page 8 of the bill and moved its adoption.

Amendment S—5268 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on Senate File 2248 be deferred.

UNFINISHED BUSINESS (Deferred March 5, 1984)

Senate File 2215

The Senate resumed consideration of Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt for the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract, deferred on March 5, 1984.

Senator Ritsema offered amendment S—5168 filed by him on February 28, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5168 was adopted by a voice vote.

Senator Ritsema offered amendment S—5187 filed by him on February 29, 1984, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 30.

Amendment S—5187 lost.

Senator Gratias offered amendment S—5225 filed by him on March 5, 1984, to page 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—5225 be adopted?" (S.F. 2215) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Briles	Dieleman	Drake	Gallagher
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulse
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Priebe	Rife
Ritsema	Taylor	Vande Hoef	

Nays, 21:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Horn	Junkins	Kinley
Mann	Miller, C.P.	Palmer	Readinger
Slater	Small	Van Gilst	Wells
Welsh			

Absent or not voting, 6:

Nystrom	Rodgers	Schwengels	Soorholtz
Tieden	Waldstein		

Amendment S—5225 was adopted.

Senator Taylor offered amendment S—5209 filed by him on March 1, 1984, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 13, nays 32.

Amendment S—5209 lost.

Senator Junkins asked and received unanimous consent that further action on Senate File 2215 be deferred.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that Senate File 2288 be referred from the Regular Calendar to the committee on Finance under Senate Rule 38.

BUSINESS PENDING

Senate File 2248

The Senate resumed consideration of Senate File 2248, previously deferred.

Senator Slater 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—5235 to Senate File 2248 was adopted by the Senate on March 6, 1984.

The motion prevailed by a voice vote and amendment S—5235 by Senators Slater, Anderson and Carr to page 6 of the bill was taken up for reconsideration.

Senator Slater asked and received unanimous consent to withdraw amendment S—5235.

Senator Bruner offered amendment S—5271 filed by Senators Bruner and Hultman from the floor to page 6 of the bill and moved its adoption.

Amendment S—5271 was adopted by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2248) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Gratias	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 3:

Goodwin

Hulse

Jensen

Absent or not voting, 3:

Lind

Nystrom

Soorholtz

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

BUSINESS PENDING

Senate File 2215

The Senate resumed consideration of Senate File 2215, previously deferred.

Senator Hultman offered amendment S—5223 filed by him on March 5, 1984, to page 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—5223 be adopted?" (S.F. 2215) the vote was:

Ayes, 20:

Briles
Gratias
Hulse
Rife
Taylor

Drake
Hester
Hultman
Ritsema
Tieden

Gentleman
Holden
Hutchins
Schwengels
Vande Hoef

Goodwin
Holt
Jensen
Small
Waldstein

Nays, 26:

Anderson
Coleman
Doyle
Horn
Mann
Priebe
Wells

Brown
Colton
Gallagher
Husak
Miller, A.V.
Readinger
Welsh

Bruner
Deluhery
Gettings
Junkins
Miller, C.P.
Rodgers

Carr
Dieleman
Hall
Kinley
Palmer
Van, Gilst

Absent or not voting, 4:

Lind

Nystrom

Slater

Soorholtz

Amendment S—5223 lost.

President Anderson took the chair at 4:18 p.m.

Senator Taylor offered amendment S—5270 filed by Senators Taylor and Gratias from the floor to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 27.

Amendment S—5270 lost.

Senator Taylor asked and received unanimous consent to withdraw amendment S—5226 filed by Senators Taylor and Gratias on March 5, 1984, to page 2 of the bill.

Senator Tieden offered amendment S—5197 filed by him on March 1, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5197 was adopted by a voice vote.

Senator Brown offered amendment S—5267 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5267 was adopted by a voice vote.

Senator Ritsema offered amendment S—5198 filed by Senators Ritsema and Taylor on March 1, 1984, to page 3 of the bill.

Senator Junkins asked and received unanimous consent that further action on amendment S—5198 and **Senate File 2215** be deferred.

BILLS REFERRED TO COMMITTEE

President Anderson announced that the following bills were referred from the Regular Calendar to committee:

S. F.	2255	Commerce
S. F.	2267	Finance
S. F.	2275	Finance
S. F.	2293	State Government
S. F.	2296	Finance
S. F.	2299	Finance
S. F.	2307	State Government

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 March 5, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2234, a bill for an act requiring repair or replacement of a new motor vehicle which does not conform to express warranties.

This bill was read and **passed on file**.

House File 2334, a bill for an act relating to the definition of burglary and attempted burglary.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 2315, by Committee on State Government, a bill for an act to allow the Iowa beer and liquor control department to establish by rule fines up to three thousand dollars to be levied against licensees and permittees for violations of the law.

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

Senate File 2316, by Committee on State Government, a bill for an act relating to the licensure of dietitians and nutritionists.

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

Senate File 2317, by Committee on Energy, a bill for an act relating to the purchase of Iowa coal by state and local government institutions.

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

Senate File 2318, by Committee on Ways and Means, a bill for an act relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes.

Read first time and **placed on the Ways and Means Calendar.**

Senate File 2319, by Committee on Ways and Means, a bill for an act to repeal the sales and use tax on newsprint and ink.

Read first time and **placed on the Ways and Means Calendar.**

Senate File 2320, by Committee on Agriculture, a bill for an act relating to the establishment of a farm disaster loan program by the Iowa family farm development authority, allowing the authority to issue its bonds and notes for the program, and making coordinating amendments.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2282	Ways and Means
H. F.	2062	Commerce
H. F.	2217	Education
H. F.	2219	State Government

FURTHER REPORTS OF COMMITTEE MEETINGS

AGRICULTURE*

*A previous report of this meeting was recorded on pages 606-607 of the Senate Journal.

Final Bill Action: SENATE FILE 2320, a bill for an act relating to the establishment of a farm disaster loan program by the Iowa family farm development authority, allowing the authority to issue its bonds and notes for the program, and making coordinating amendments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY*

*A previous report of this meeting was recorded on pages 609-610 of the Senate Journal.

Final Bill Action: SENATE FILE 2317 (SSB 2235), a bill for an act relating to the purchase of Iowa coal by state and local government institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Gallagher, Brown, Colton, Hulse, C. Miller, Tieden and Van Gilst. Nays, 2: Bruner and Rife. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT*

*A previous report of this meeting was recorded on pages 611-612 of the Senate Journal.

Final Bill Action: SENATE FILE 2314, a bill for an act relating to the authority of the department of water, air and waste management regarding the restoration, maintenance or improvement of a drainage district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, Wells, Briles, Brown, Colton, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 613 of the Senate Journal.

Final Bill Action: SENATE FILE 2309 (SSB 189), a bill for an act relating to the educational requirements of registered professional engineers and registered land surveyors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 644-645 of the Senate Journal.

Final Bill Action: SENATE FILE 2310 (SSB 2241), a bill for an act relating to payments to state employees for accrued sick leave and disability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2311 (SSB 2226), a bill for an act relating to access to records by the legislative fiscal bureau.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2312 (SSB 2240), a bill for an act relating to the deposit of interest in designated employee insurance funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz, Welsh and Nystrom. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2313 (SSB 2227), a bill for an act relating to the administration and benefits of certain public retirement systems, to make an appropriation, and to provide a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 645-646 of the Senate Journal.

Final Bill Action: SENATE FILE 2315 (SSB 2138A), a bill for an act to allow the Iowa beer and liquor control department to establish by rule fines up to three thousand dollars to be levied against licensees and permittees for violations of the law.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 11: Slater, Carr, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Nyström, Briles and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2316 (SSB 2060), a bill for an act relating to the licensure of dietitians and nutritionists.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 11: Slater, Carr, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Briles, Nystrom and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF COMMITTEE MEETING**WAYS AND MEANS**

Convened: March 5, 1984, 1:05 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown, Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Rodgers, Soorholtz (arrived 1:09 p.m.) and Van Gilst.

Members Absent: Readinger and Small.

Final Bill Action: SENATE FILE 2318 (SSB 2125), a bill for an act relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 13: Palmer, Husak, Holden, Brown, Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Rodgers, Soorholtz and Van Gilst. Nays, none. Absent or not voting, 2: Readinger and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2319 (SSB 2121), a bill for an act to repeal the sales and use tax on newsprint and ink.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Holden, Brown, Carr, Deluhery, Dieleman, Grattias, Hester, Holt, Rodgers, Soorholtz and Van Gilst. Nays, none. Absent or not voting, 2: Readinger and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:20 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twelve Girl Scouts from Sawyer School, Ames, Iowa, accompanied by their leader, Stephanie Weigel. Senator Bruner.

AMENDMENTS FILED

S-5249	S. F.	2248	Donald V. Doyle
S-5250	S. F.	2220	Charles Bruner
S-5251	H. F.	2172	James D. Wells
			C.W. Bill Hutchins
			John W. Jensen
S-5252	S. F.	2220	Edgar H. Holden
S-5253	S. F.	2220	Ted Anderson
			Jack W. Rife
			C.W. Bill Hutchins
			John W. Jensen
S-5254	S. F.	2220	Ted Anderson
S-5255	S. F.	2295	Ted Anderson
S-5256	S. F.	2014	Milo Colton
S-5257	S. F.	2098	Julia Gentleman
S-5258	S. F.	2248	Charles Bruner
			Calvin O. Hultman
			James V. Gallagher
S-5259	S. F.	2206	Douglas Ritsema
S-5260	S. F.	2236	C. Joseph Coleman
S-5261	S. F.	2248	Calvin O. Hultman

S—5262	S. F.	2248	Donald V. Doyle
S—5263	S. F.	2250	C. Joseph Coleman
S—5264	S. F.	2220	William D. Palmer
S—5265	S. F.	2248	Alvin V. Miller
S—5266	S. F.	2248	Richard F. Drake
			C. Joseph Coleman
			Joe J. Welsh
S—5267	S. F.	2215	Joe Brown
S—5268	S. F.	2248	Charles Bruner
			Calvin O. Hultman
S—5269	S. F.	2206	Bob Carr
S—5270	S. F.	2215	Ray Taylor
			Arthur L. Gratijs
S—5271	S. F.	2248	Charles Bruner
			Calvin O. Hultman
S—5272	S. F.	2014	Milo Colton
S—5273	S. F.	2217	Norman G. Rodgers
S—5274	S. F.	2014	Milo Colton
S—5275	S. F.	2014	Milo Colton
S—5276	S. F.	2249	Joe J. Welsh
S—5277	H. F.	2218	Richard F. Drake
			Joe J. Welsh

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Wednesday, March 7, 1984.

JOURNAL OF THE SENATE

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FIFTY-NINTH CALENDAR DAY THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 7, 1984

The Senate met in regular session at 9:24 a.m., President Anderson presiding.

Prayer was offered by the Reverend Barbara Shafer, pastor of the Clear Lake United Methodist Church, Clear Lake, Iowa.

The Journal of Tuesday, March 6, 1984, 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 March 6, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2187, a bill for an act to increase the filing or recording fee collected by the county recorder.

This bill was read first time and **passed on file**.

House File 2274, a bill for an act relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return.

This bill was read first time and **passed on file**.

House File 2323, a bill for an act relating to the payment of special assessments of drainage districts.

This bill was read first time and **passed on file**.

House File 2335, a bill for an act relating to the liability of a county or city, or an administrative or legal entity created by a county or city, under the Iowa competition law.

This bill was read first time and **passed on file.**

House File 2340, a bill for an act relating to the investigations and finding of a complaint filed against a health care facility.

This bill was read first time and **passed on file.**

House File 2349, a bill for an act relating to the confidentiality of Iowa board of parole records, and providing penalties.

This bill was read first time and **passed on file.**

House File 2401, a bill for an act relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund.

This bill was read first time and **passed on file.**

House File 2435, a bill for an act relating to the confidentiality of affidavits of search warrants, sworn statements made for the purpose of obtaining a warrant and inventories of seized property.

This bill was read first time and **passed on file.**

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2205.

Senate File 2205

On motion of Senator Gettings, Senate File 2205, a bill for an act relating to the fees for the registration of vessels, with report of committee on Finance recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2205) the vote was:

Ayes, 34:

Anderson
Carr

Briles
Colton

Brown
Deluhery

Bruner
Dieleman

Doyle	Drake	Gettings	Goodwin
Gratias	Hall	Hester	Holt
Horn	Hulse	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Tieden	Vande Hoef
Van Gilst	Waldstein		

Nays, 13:

Coleman	Gallagher	Gentleman	Holden
Husak	Kinley	Mann	Miller, C.P.
Nystrom	Palmer	Taylor	Wells
Welsh			

Absent or not voting, 3:

Hultman	Slater	Soorholtz
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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 Junkins asked and received unanimous consent to take up out of order Senate File 2220

Senate File 2220

On motion of Senator Holden, Senate File 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions, was taken up for consideration.

Senator Holden offered amendment S—5252 filed by him on March 6, 1984, to pages 3 and 18 of the bill and moved its adoption.

Amendment S—5252 was adopted by a voice vote.

Senator Bruner offered amendment S—5250 filed by him on March 6, 1984, to page 4 of the bill and moved its adoption.

Amendment S—5250 was adopted by a voice vote.

Senator Drake offered amendment S—5248 filed by Senators Drake and Priebe on March 5, 1984, to page 10 of the bill, moved its adoption and requested a non record roll call.

The ayes were 12, nays 33.

Amendment S—5248 lost.

Senator Deluhery asked and received unanimous consent to withdraw amendment S—5247 filed by Senators Deluhery, et al., on March 5, 1984, to page 13 and to the title page of the bill.

Senator Anderson offered amendment S—5253 filed by Senators Anderson, et al., on March 6, 1984, to pages 13 through 17 and to the title page of the bill.

Senator Kinley offered amendment S—5283 filed by Senators Kinley, et al., from the floor to amendment S—5253.

(Senate File 2220, amendment S—5253 and amendment S—5283 to amendment S—5253, pending on recess.)

RECESS

On motion of Senator Junkins, the Senate recessed at 11:30 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., Senator Doyle presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 107, a resolution relating to the development of library service.

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

President Anderson took the chair at 1:36 p.m.

QUORUM CALL

Senator Junkins 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

Senate File 2220

The Senate resumed consideration of Senate File 2220, amendment S—5253 and amendment S—5283 to amendment S—5253, pending on recess.

Senator Kinley moved the adoption of amendment S—5283 to amendment S—5253 and requested a record roll call.

On the question "Shall amendment S—5283 to amendment S—5253 be adopted?" (S.F. 2220) the vote was:

Ayes, 17:

Briles	Bruner	Coleman	Colton
Dieleman	Gentleman	Hall	Holden
Horn	Jenkins	Kinley	Lind
Palmer	Readinger	Rodgers	Slater
Wells			

Nays, 30:

Anderson	Brown	Carr	Deluhery
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hester	Holt
Hulse	Husak	Hutchins	Jensen
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Rife	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Welsh		

Voting present, 1:

Hultman

Absent or not voting, 2:

Mann Soorholtz

Amendment S—5283 lost.

Senator Holden asked unanimous consent that further action on amendment S—5253 and Senate File 2220 be deferred for preparation of an amendment.

Objection was raised by Senator Anderson.

Senator Anderson withdrew his objection.

Senator Holden withdrew his request for deferral of amendment S—5253 and Senate File 2220.

Senator Holden asked and received unanimous consent that action on amendment S—5253 be deferred.

Senator Deluhery offered amendment S—5288 filed by him from the floor to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 34.

Amendment S—5288 lost.

The Chair ruled amendment S—5264 filed by Senator Palmer on March 6, 1984, to page 22 of the bill, out of order.

Senator Palmer offered amendment S—5279 filed by him from the floor to page 17 of the bill.

Senator Priebe asked and received unanimous consent that further action on amendment S—5279 be deferred.

Senator Anderson offered amendment S—5254 filed by him on March 6, 1984, to page 17 of the bill and moved its adoption.

Amendment S—5254 was adopted by a voice vote.

Senator Waldstein withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5250 to Senate File 2220 was adopted by the Senate on March 7, 1984.

Senator Junkins 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—5288 to Senate File 2220 failed to be adopted by the Senate on March 7, 1984.

The motion prevailed by a voice vote and amendment S—5288 by Senator Deluhery to page 3 of the bill, was taken up for reconsideration.

Senator Deluhery moved the adoption of amendment S—5288 and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 24, nays 24.

The Chair voted "aye" to break the tie and amendment S—5288 was adopted.

Senator Junkins asked and received unanimous consent that further action on amendments S—5253 and S—5279 and Senate File 2220 be deferred.

BILLS REFERRED TO COMMITTEE

President Anderson announced that Senate Files 2313 and 2320 were referred from the Regular Calendar to the committee on Finance under Senate Rule 38.

UNFINISHED BUSINESS (Deferred March 6, 1984)

Senate File 2215

The Senate resumed consideration of Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt for the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract, and amendment S—5198 by Senators Ritsema and Taylor, deferred on March 6, 1984.

Senator Gratias withdrew amendment S—5224 filed by him on March 5, 1984, to pages 1 and 2 of the bill.

Senator Ritsema moved the adoption of amendment S—5198 to page 3 of the bill.

A non record roll call was requested.

The ayes were 21, nays 27.

Amendment S—5198 lost.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2215) the vote was:

Ayes, 30:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Gratias
Horn	Junkins	Kinley	Lind
Mann	Miller, A. V.	Miller, C. P.	Nystrom
Palmer	Readinger	Rife	Rodgers
Slater	Small	Van Gilst	Waldstein
Wells	Welsh		

Nays, 19:

Briles	Gallagher	Gentleman	Goodwin
Hall	Hester	Holden	Holt
Hulse	Hultman	Husak	Hutchins
Jensen	Priebe	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	

Absent or not voting, 1:

Soorholtz

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 Junkins asked and received unanimous consent to take up out of order Senate File 2247.

Senate File 2247

On motion of Senator Mann, Senate File 2247, a bill for an act relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2247) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Soorholtz

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2253.

Senate File 2253

On motion of Senator Doyle, Senate File 2253, a bill for an act relating to the penalty for violation of the Iowa competition law and providing for a prohibition from bidding on governmental contracts by persons convicted of violations of the Iowa competition law, was taken up for consideration.

Senator Coleman took the chair at 4:00 p.m.

Senator Welsh offered amendment S—5238 filed by him on March 5, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5238 was adopted by a voice vote.

Senator Welsh offered amendment S—5237 filed by him on March 5, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5237 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2253) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readeringer	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Holden Soorholtz

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2252.

Senate File 2252

On motion of Senator Doyle, Senate File 2252, a bill for an act relating to the visitation rights of a grandparent, was taken up for consideration.

Senator Doyle offered amendment S—5222 filed by Senators Readeringer and Doyle on March 5, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5222 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2252) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Soorholtz

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2283.

Senate File 2283

On motion of Senator Doyle, Senate File 2283, a bill for an act relating to the death of a firefighter during an arson and providing a penalty, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2283) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
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Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Hall	Hester
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 3:

Gentleman	Holden	Ritsema
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Absent or not voting, 2:

Gallagher	Soorholtz
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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 Carr took the chair at 4:20 p.m.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2250.

Senate File 2250

On motion of Senator Drake, Senate File 2250, a bill for an act relating to the budget year, annual report and minimum local effort provisions for secondary roads, was taken up for consideration.

Senator Coleman offered amendment S—5263 filed by him on March 6, 1984, to the title page of the bill and moved its adoption.

Amendment S—5263 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2250) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery

Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Gallagher Soorholtz

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2263.

Senate File 2263

On motion of Senator Horn, Senate File 2263, a bill for an act requiring the department of public instruction to adopt rules relating to the review of an action or omission relating to special education programs by state or local authorities, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2263) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife

Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Gallagher	Soorholtz
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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 2264

On motion of Senator Anderson, Senate File 2264, a bill for an act relating to teaching comprehensive health education in grades one through twelve, was taken up for consideration.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2264) the vote was:

Ayes, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Hall	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Tieden
Van Gilst	Wells	Welsh	

Nays, 7:

Gentleman	Hester	Hultman	Ritsema
Taylor	Vande Hoef	Waldstein	

Absent or not voting, 4:

Briles	Gallagher	Holden	Soorholtz
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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 Junkins asked and received unanimous consent to take up for consideration Senate File 2285.

Senate File 2285

On motion of Senator Anderson, Senate File 2285, a bill for an act permitting the deposit of a credit union certified share draft as security on a bid for a contract for a public improvement, was taken up for consideration.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2285) the vote was:

Ayes, 45:

Anderson	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Welsh			

Nays, none.

Absent or not voting, 5:

Briles	Brown	Gallagher	Soorholtz
Wells			

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2290.

Senate File 2290

On motion of Senator Priebe, Senate File 2290, a bill for an act relating to the references to "voters" in regard to school district boundary petitions, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2290) the vote was:

Ayes, 45:

Anderson	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Welsh			

Nays, none.

Absent or not voting, 5:

Briles	Brown	Gallagher	Soorholtz
Wells			

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 2060** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order **Senate File 2095**.

Senate File 2095

On motion of Senator Hall, **Senate File 2095**, a bill for an act providing a penalty for violation of requirements for setting aside

handicapped parking spaces, with report of committee recommending passage, was taken up for consideration.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2095) the vote was:

Ayes, 40:

Anderson	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Taylor	Tieden	Van Gilst	Welsh

Nays, 5:

Drake	Gentleman	Holden	Vande Hoef
Waldstein			

Absent or not voting, 5:

Briles	Brown	Gallagher	Soorholtz
Wells			

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

CONSIDERATION OF BILL (Noncontroversial Calendar)

Senate File 2217

On motion of Senator Rodgers, Senate File 2217, a bill for an act establishing uniform enforcement remedies for the department of water, air and waste management, and imposing civil penalties, was taken up for consideration.

Senator Rodgers offered amendment S—5273 filed by him on March 6, 1984, to strike everything after the enacting clause of the bill.

Senator Junkins asked and received unanimous consent that further action on amendment S—5273 and Senate File 2217 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2298.

Senate File 2298

On motion of Senator Welsh, Senate File 2298, a bill for an act to require the state department of transportation to include all federal funds in its annual or biennial budget which funds are subject to appropriation to the department, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2298) the vote was:

Ayes, 44:

Anderson	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Brown	Gallagher	Schwengels
Soorholtz	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 2279** be referred from the Regular Calendar to the committee on **Commerce**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration **Senate File 2301**.

Senate File 2301

On motion of Senator Small, **Senate File 2301**, a bill for an act relating to the protection of lienholders' and certificate holders' advancements, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 2301** be deferred.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5180 to Senate File 2156, the following technical correction was made:

1. Page 1, lines 3 and 4, the language "and repay the amount to the director upon collection" was underlined.

K. MARIE THAYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	107	Rules and Administration
H. F.	2187	Local Government
H. F.	2234	Commerce
H. F.	2274	Natural Resources
H. F.	2323	Agriculture
H. F.	2334	Judiciary
H. F.	2349	Judiciary
H. F.	2401	Natural Resources
H. F.	2435	Judiciary

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 6, 1984, 10:45 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Lind, Ranking Member; Hutchins and Nystrom.

Members Absent: none.

Other Committee Business: Overview of block grants for the Department of Public Instruction.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 6, 1984, 10:54 a.m.

Members Present: Husak, Chair; Colton, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Other Committee Business: Approved alcohol, drug abuse, and mental health block grant bill.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 6, 1984, 10:45 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Dennis Guffey of the Energy Policy Council presented budget requests.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 6, 1984, 10:44 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member and Jensen.

Members Absent: Rodgers (excused.)

Other Committee Business: Budget hearings for the State Comptroller's office and Job Service of Iowa.

Adjourned: 11:30 a.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Paul D. Poncy, D.O., Centerville, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Jim Redmond, former member of the Senate from Linn County, who was present in the Senate chamber.

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

Thirty senior students from Twin Cedars High School, Bussey, Iowa, accompanied by Elaine Farnar. Senator Dieleman.

AMENDMENTS FILED

S—5278	S. F.	2289	James V. Gallagher
S—5279	S. F.	2220	William D. Palmer
S—5280	S. F.	2262	Douglas Ritsema
S—5281	S. F.	2270	Donald V. Doyle
S—5282	S. F.	2269	Donald V. Doyle
S—5283	S. F.	2220	George R. Kinley
			Norman G. Rodgers
			Milo Colton
			C. Joseph Coleman
			Hurley W. Hall
			David M. Readinger
			Julia Gentleman
			James D. Wells
S—5284	S. F.	2262	John N. Nystrom
S—5285	S. F.	2274	Edgar H. Holden
S—5286	S. F.	2262	John N. Nystrom
S—5287	S. F.	2294	Joe Brown
S—5288	S. F.	2220	Patrick J. Deluhery
S—5289	S. F.	2014	Milo Colton
S—5290	S. F.	2014	Milo Colton
S—5291	S. F.	54	David M. Readinger
S—5292	S. F.	2197	Arne Waldstein
S—5293	S. F.	2280	David M. Readinger
S—5294	S. F.	2268	Tom Mann, Jr.
S—5295	S. F.	2220	George R. Kinley
S—5296	S. F.	2220	Edgar H. Holden
			George R. Kinley

S—5297	S. F.	2220	George R. Kinley
S—5298	S. F.	2220	Arthur A. Small, Jr.
			Edgar H. Holden
			George R. Kinley

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:43 p.m., until 9:00 a.m., Thursday, March 8, 1984.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 8, 1984

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

Prayer was offered by the Reverend Suzanne Peterson, pastor of the Iowa Inter-Church Agency for Peace and Justice, Des Moines, Iowa.

The Journal of Wednesday, March 7, 1984, 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 March 5, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2332, a bill for an act relating to child care by requiring family or group day care providers to report child abuse, requiring child abuse identification and reporting training for mandatory reporters of child abuse, requiring foster parent training, permitting a peace officer to remove a child from a child day care facility under certain circumstances, permitting child care financial assistance funds to go to group day care homes, family day care homes, provider associations and individual providers, amending the definition of a family day care home, requiring registration of family day care homes but maintaining current standards for two years, requiring periodic inspections or visits to group and family day care homes, expanding injunctive authority to family day care homes, and establishing fees and penalties.

This bill was read first time and passed on file.

House File 2348, a bill for an act relating to correctional procedures by expanding the circumstances under which home work release may be granted, providing for the duty of counties to comply with state requests for temporary confinement of alleged parole or work release violators, allowing a designee of the warden or superintendent to hear appeals of hearing officers, extending the time for the board of directors of a judicial district department of correctional services to file its annual report, and providing for the penalty of contempt for violations of parole.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 5, 1984 passed (with amendment H—5391) the following bill in which the concurrence of the Senate is asked:

House File 2386, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 6, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 434, a bill for an act authorizing cities to enter agreements to jointly invest public funds.

This bill was read first time and **passed on file**.

House File 2426, a bill for an act relating to the study of the feasibility of a state-owned hazardous waste treatment and resource recovery facility.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 7, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 591, a bill for an act prohibiting the general assembly from passing any bill that uses gender as the basis for differential treatment.

This bill was read first time and **passed on file**.

House File 2414, a bill for an act relating to credit union reciprocity, par value of shares, deposits, investments, powers, membership, and reserves.

This bill was read first time and **passed on file**.

House File 2424, a bill for an act relating to expenses incurred by health care facilities in receivership and the liability of the receiver for the expenses and for suits filed against the receiver.

This bill was read first time and **passed on file**.

UNFINISHED BUSINESS (Deferred March 7, 1984)

Senate File 2301

The Senate resumed consideration of Senate File 2301, a bill for an act relating to the protection of lienholders' and certificate holders' advancements, deferred on March 7, 1984.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2301) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Palmer Soorholtz

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2270.

Senate File 2270

On motion of Senator Doyle, Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug, was taken up for consideration.

Senator Doyle offered amendment S—5281 filed by him on March 7, 1984, to page 1 of the bill.

Senator Gallagher asked and received unanimous consent that further action on amendment S—5281 and Senate File 2270 be deferred.

UNFINISHED BUSINESS (Deferred March 7, 1984)

Senate File 2217

The Senate resumed consideration of Senate File 2217, a bill for an act establishing uniform enforcement remedies for the department of water, air and waste management, and imposing civil penalties and amendment S—5273 by Senator Rodgers to strike everything after the enacting clause of the bill, deferred on March 7, 1984.

Senator Rodgers offered amendment S—5299 filed by him from the floor to strike everything after the enacting clause of the bill.

Senator Holden asked and received unanimous consent that further action on amendments S—5273 and 5299 and Senate File 2217 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2304.

Senate File 2304

On motion of Senator Ritsema, Senate File 2304, a bill for an act relating to penalties for fraudulently obtaining, manufacturing, delivering, or possessing with intent to manufacture or deliver, a controlled substance, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2304) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Rife Soorholtz

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2272.

Senate File 2272

On motion of Senator Horn, Senate File 2272, a bill for an act relating to modification of orders made in proceedings for dissolution of marriage, annulment or separate maintenance, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2272) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A. V.	Miller, C. P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Soorholtz

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

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2300.

Senate File 2300

On motion of Senator Small, Senate File 2300, a bill for an act relating to the sentencing of habitual offenders under section 902.8, was taken up for consideration.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2300) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 4:

Dieleman	Gallagher	Taylor	Van Gilst
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Absent or not voting, 4:

Bruner	Horn	Palmer	Soorholtz
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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 Junkins asked and received unanimous consent to take up out of order Senate Files 2292 and 2245.

Senate File 2292

On motion of Senator Gentleman, Senate File 2292, a bill for an act relating to the definition of child abuse and the admissibility of certain tape recordings as evidence in child in need of assistance cases, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2292) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Palmer Soorholtz

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

Senate File 2245

On motion of Senator Wells, Senate File 2245, a bill for an act relating to the liability of a county or city, or an administrative or legal entity created by a county or city, under the Iowa competition law, was taken up for consideration.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2245) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema

Rodgers
Taylor
Waldstein

Schwengels
Tieden
Wells

Slater
Vande Hoef
Welsh

Small
Van Gilst

Nays, none.

Absent or not voting, 3:

Gallagher

Hester

Soorholtz

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

UNFINISHED BUSINESS (Deferred March 7, 1984)

Senate File 2220

The Senate resumed consideration of Senate File 2220; a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions, and amendments S—5253 by Senators Anderson, et al., to pages 13 through 17 and the title page of the bill, and S—5279 by Senator Palmer to page 17 of the bill, deferred on March 7, 1984.

Senator Holden asked and received unanimous consent to withdraw amendment S—5296 filed by Senators Holden and Kinley on March 7, 1984, to amendment S—5253.

Senator Colton offered amendment S—5302 filed by him from the floor to amendment S—5253, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5302 to amendment S—5253 be adopted?" (S.F. 2220) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Brown	Bruner	Carr	Coleman
Colton	Dieleman	Doyle	Gentleman
Hall	Holden	Horn	Junkins
Kinley	Lind	Mann	Miller, C.P.
Palmer	Readinger	Rodgers	Slater
Small			

Nays, 27:

Anderson	Briles	Deluhery	Drake
Gallagher	Gettings	Goodwin	Gratias
Hester	Holt	Hulse	Husak
Hutchins	Jensen	Miller, A.V.	Nystrom
Priebe	Rife	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Voting present, 1:

Hultman

Absent or not voting, 1:

Soorholtz

Amendment S—5302 lost.

Senator Small asked and received unanimous consent to withdraw amendment S—5298 filed by Senators Small, Holden and Kinley on March 7, 1984, to amendment S—5253.

Senator Small offered amendment S—5306 filed by Senators Small, Holden and Kinley from the floor to amendment S—5253 and called for a division: lines 3 through 21 as division S—5306A and lines 22 through 24 as division S—5306B.

Senator Small moved the adoption of division S—5306A to S—5253.

A record roll call was requested.

On the question "Shall division S—5306A to amendment S—5253 be adopted?" (S.F. 2220) the vote was:

Ayes, 19:

Briles	Bruner	Coleman	Colton
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Dieleman	Doyle	Hall	Holden
Horn	Junkins	Kinley	Lind
Miller, C.P.	Palmer	Readinger	Rodgers
Slater	Small	Wells	

Nays, 28:

Anderson	Carr	Deluhery	Drake
Gallagher	Gentleman	Gettings	Goodwin
Gratias	Hester	Holt	Hulse
Husak	Hutchins	Jensen	Mann
Miller, A.V.	Nystrom	Priebe	Rife
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Welsh

Voting present, 1:

Hultman

Absent or not voting, 2:

Brown Soorholtz

Division S—5306A lost.

Senator Small asked and received unanimous consent to withdraw division S—5306B to S—5253.

Senator Kinley withdrew amendment S—5295 filed by him on March 7, 1984, to amendment S—5253.

Senator Andersop moved the adoption of amendment S—5253.

A record roll call was requested.

On the question "Shall amendment S—5253 be adopted?" (S.F. 2220) the vote was:

Ayes, 34:

Anderson	Briles	Brown	Carr
Deluhery	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hester
Holt	Hulse	Husak	Hutchins
Jensen	Junkins	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Priebe	Rife
Ritsema	Rodgers	Schwengels	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Welsh		

Nays, 14:

Bruner
Gentleman
Kinley
Slater

Coleman
Hall
Lind
Wells

Colton
Holden
Palmer

Dieleman
Horn
Readinger

Voting present, 1:

Hultman

Absent or not voting, 1:

Soorholtz

Amendment S—5253 was adopted.

With the adoption of amendment S—5253, the Chair ruled amendment S—5279 to page 17 of the bill, deferred on March 7, 1984, out of order.

Senator Kinley offered amendment S—5297 filed by him on March 7, 1984, to page 17 of the bill.

Senator Kinley asked and received unanimous consent that further action on amendment S—5297 be deferred.

Senator Junkins asked and received unanimous consent that further action on amendment S—5297 and **Senate File 2220** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order **Senate File 2108**.

Senate File 2108

On motion of Senator Vande Hoef, **Senate File 2108**, a bill for an act relating to the annexation of land located within a rural water district or association, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein asked and received unanimous consent that further action on **Senate File 2108** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2243.

Senate File 2243

On motion of Senator Colton, Senate File 2243, a bill for an act specifying which claims paid to county employees must be published in official newspapers, was taken up for consideration.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2243) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Junkins

Absent or not voting, 2:

Hultman Soorholtz

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 2243 passed the Senate on March 8, 1984.

EMIL J. HUSAK

MOTION TO RECONSIDER CONSIDERED

Senator Wells filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2245 passed the Senate on March 8, 1984.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2245) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Taylor	Van Gilst	Waldstein	Wells
Welsh			

Nays, 1:

Tieden

Absent or not voting, 4:

Colton	Goodwin	Soorholtz	Vande Hoef
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The motion prevailed.

Senator Wells moved to reconsider the vote by which Senate File 2245 went to its last reading, which motion prevailed by a voice vote.

Senator Wells asked and received unanimous consent that House File 2335 be substituted for Senate File 2245.

Senator Wells asked and received unanimous consent that further action on House File 2335 be deferred.

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 March 6, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2111, a bill for an act authorizing cities to issue revenue bonds or pledge orders to refund general obligation bonds if they were issued or the proceeds were expended for certain city projects.

House File 2421, a bill for an act relating to the collection, transportation, storage, and disposal of solid waste.

ALSO: That the House has on March 7, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 558, a bill for an act revising Iowa's aid to dependent children law to conform to federal law and the practices of the department of human services.

House File 2043, a bill for an act relating to the reporting of property owned by a city utility.

House File 2100, a bill for an act relating to the location and operation of anhydrous ammonia plants and defining nuisance as the term relates to the plants.

House File 2107, a bill for an act relating to voluntary foster care placements by the department of human services and approval of the placements by the juvenile court:

House File 2272, a bill for an act to authorize certain motor trucks and motor homes to tow a four-wheeled trailer with a steering axle and more than one trailer or semitrailer or both, subject to penalties provided by law.

House File 2302, a bill for an act amending the definition of "child abuse" for purposes of reporting, investigation, and rehabilitation to include permitting a child to engage in prostitution and sexually exploiting a child in certain other ways.

House File 2330, a bill for an act relating to parking violations and providing, with certain exceptions, that parking violations not be considered for license suspensions or revocations.

House File 2351, a bill for an act relating to the crime of incest and providing a penalty.

House File 2352, a bill for an act relating to parental financial responsibility for the acts of children.

House File 2371, a bill for an act to require counties to assume the cost of confining probationers pending completion of arrangements for probation and pending disposition of revocation proceedings.

House File 2372, a bill for an act relating to real property legalizing Acts.

House File 2373, a bill for an act relating to attorney fees in proceedings to enforce or modify orders or decrees relating to dissolution of marriage.

House File 2374, a bill for an act relating to the methods used by insurance companies in reporting annual statements to the commissioner of insurance.

House File 2375, a bill for an act providing for the surrender and disposition of earnings of persons committed to residential treatment centers operated by judicial district departments of correctional services.

House File 2376, a bill for an act to allow the voluntary discontinuance of a franchise by a motor vehicle dealer without the approval of the transportation regulation authority.

House File 2377, a bill for an act relating to requiring restitution for juvenile offenders.

House File 2379, a bill for an act extending the dates for application and approval of community mental health and mental retardation funding.

House File 2385, a bill for an act relating to the frequency of inspection of grain dealers.

House File 2389, a bill for an act relating to the interest of an elected city officer or employee in contracts for the purchase of good and services by a city.

House File 2391, a bill for an act relating to license fees, inspection fees, and other fees charged by the commerce commission under chapters 542 and 543.

The foregoing bills were read first time and **passed on file**.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:50 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., Senator Colton presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred March 6, 1984)

Senate File 2206

The Senate resumed consideration of Senate File 2206, a bill for an act relating to the safety and security of passengers on buses and in bus terminals, by establishing criminal offenses and providing penalties and division S—5259B to page 2 of the bill, deferred on March 6, 1984.

Senator Ritsema moved the adoption of division S—5259B, which motion prevailed by a voice vote.

Senator Carr offered amendment S—5269 filed by him on March 6, 1984, to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 21.

Amendment S—5269 was adopted.

Senator Hutchins asked and received unanimous consent that further action on Senate File 2206 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2254.

Senate File 2254

On motion of Senator Nystrom, Senate File 2254, a bill for an act relating to the state employee suggestion system, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2254) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Vah Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Soorholtz

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

BUSINESS PENDING

Senate File 2217

The Senate resumed consideration of Senate File 2217 and amendments S—5273 and S—5299, previously deferred.

Senator Holden offered amendment S—5313 filed by Senators Holden and Coleman from the floor to amendment S—5299.

Senator Hutchins asked and received unanimous consent that further action on amendments S—5273, S—5299 and amendment S—5313 to amendment S—5299 and Senate File 2217 be deferred.

President Anderson took the chair at 2:55 p.m.

BUSINESS PENDING

Senate File 2220

The Senate resumed consideration of Senate File 2220 and amendment S—5297, previously deferred.

Senator Kinley withdrew amendment S—5297 to page 17 and the title page of the bill.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2220) the vote was:

Ayes, 43:

Anderson
Carr
Dieleman
Gentleman
Hall
Horn
Kinley
Miller, C.P.

Briles
Coleman
Doyle
Gettings
Hester
Hutchins
Lind
Nystrom

Brown
Colton
Drake
Goodwin
Holden
Jensen
Mann
Palmer

Bruner
Deluhery
Gallagher
Gratias
Holt
Junkins
Miller, A.V.
Priebe

Readinger
Slater
Van Gilst

Rife
Small
Wells

Rodgers
Tieden
Welsh

Schwengels
Vande Hoef

Nays, 3:

Hulse

Ritsema

Waldstein

Voting present, 1:

Hultman

Absent or not voting, 3:

Husak

Soorholtz

Taylor

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 Hutchins asked and received unanimous consent to take up out of order Senate File 54.

Senate File 54

On motion of Senator Doyle, Senate File 54, a bill for an act to require a bond from a person who provides a handling service for a dealer or a person operating a redemption center and to provide a penalty for violations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gallagher offered amendment S—5179 filed by the committee on Energy on February 28, 1984, to page 1 and to the title page of the bill.

Senator Rodgers raised the point of order that amendment S—5179 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5179 out of order.

The Chair ruled amendment S—5241 filed by Senator Rodgers on March 5, 1984, to amendment S—5179, out of order.

Senator Readinger offered amendment S—5291 filed by him on March 7, 1984, to pages 1, 2 and the title page of the bill.

Senator Rodgers raised the point of order that amendment S—5291 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5291 out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 54) the vote was:

Ayes, 45:

Briles	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 2:

Holden	Hultman
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Absent or not voting, 3:

Anderson	Slater	Soorholtz
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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 Deluhery asked and received unanimous consent to take up out of order Senate File 2269.

Senate File 2269

On motion of Senator Doyle, Senate File 2269, a bill for an act limiting the amount charged employed county prisoners for meals, was taken up for consideration.

Senator Doyle offered amendment S—5282 filed by him on March 7, 1984, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5282 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2269) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Soorholtz

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

Senator Deluhery asked and received unanimous consent to take up out of order Senate File 2197.

Senate File 2197

On motion of Senator Waldstein, Senate File 2197, a bill for an act relating to the establishment and dissolution of a sanitary district, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein offered amendment S—5292 filed by him on March 7, 1984, to pages 1, 3 and 4 of the bill and moved its adoption.

Amendment S—5292 was adopted by a voice vote.

Senator Waldstein offered amendment S—5305 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—5305 was adopted by a voice vote.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2197) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hultman	Schwengels	Soorholtz
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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 Junkins asked and received unanimous consent to take up out of order Senate File 2199.

Senate File 2199

On motion of Senator Priebe, Senate File 2199, a bill for an act relating to the safety of persons being transported or traversing the highways and providing penalties, was taken up for consideration.

Senator Husak asked and received unanimous consent that further action on Senate File 2199 be deferred.

Senator Deluhery asked and received unanimous consent to take up out of order Senate File 2268.

Senate File 2268

On motion of Senator Mann, Senate File 2268, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty, was taken up for consideration.

Senator Mann offered amendment S—5294 filed by him on March 7, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5294 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2268) the vote was:

Ayes, 42:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Hall	Hester	Holt
Horn	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 5:

Dieleman	Gratias	Holden	Hulse
Lind			

Absent or not voting, 3:

Briles	Hutchins	Soorholtz
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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 March 6, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 405, a bill for an act relating to the qualifications for certified public accountants.

House File 573, a bill for an act providing for the disposition of personal property in the possession of the department of public safety.

House File 2211, a bill for an act making changes in the practice act relating to physical therapy.

House File 2267, a bill for an act relating to the waiver of presentence investigations for class "B", "C", and "D" felonies.

ALSO: That the House has on March 7, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2221, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

House File 2393, a bill for an act relating to the authority of the department of water, air and waste management over used oil.

ALSO: That the House has on March 7, 1984, passed (with amendment H—5447) the following bill in which the concurrence of the Senate is asked:

House File 2310, a bill for an act requiring a vehicle's purchase price to be listed on the certificate of title and providing a penalty.

ALSO: That the House has on March 7, 1984, passed (with amendment H—5411 adopted) the following bill in which the concurrence of the Senate is asked:

House File 2417, a bill for an act relating to the inspection of jails and municipal holding facilities by the Iowa department of corrections.

The foregoing bills were read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2321, by Junkins and Hultman, a bill for an act relating to damages payable to an employee if an employer breaks an agreement to cover the cost of the care and treatment of sickness or injury.

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 amendment S—5266 to Senate File 2248, the following technical corrections were made:

1. Page 1, line 4, "455D.4A" was changed to "455D.4", thereby, all succeeding section numbers were increased by one.
2. Page 2, line 13, "455D.15" was changed to "455D.16".
3. Page 3, line 29, "455D.16" was changed to "455D.17".
4. Page 7, line 9, "455D.18" was changed to "455D.19".
5. Page 9, line 2, "455D.4" was changed to "455D.7".

K. MARIE THAYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2292 passed the Senate on March 8, 1984.

JULIA GENTLEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2220 passed the Senate on March 8, 1984.

EDGAR H. HOLDEN

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. M.G. Parks, M.D., Centerville, Iowa.

AMENDMENTS FILED

S—5299	S. F.	2217	Norman G. Rodgers
S—5300	S. F.	2309	Charles P. Miller
S—5301	S. F.	2276	Charles P. Miller
S—5302	S. F.	2220	Milo Colton
S—5303	S. F.	2164	Egdar H. Holden
			Arthur L. Gratias

S—5304	S. F.	2277	Tom Slater
S—5305	S. F.	2197	Arne Waldstein
S—5306	S. F.	2220	Arthur A. Small, Jr. Edgar H. Holden George R. Kinley
S—5307	S. F.	2270	James V. Gallagher
S—5308	S. F.	2235	Donald V. Doyle
S—5309	H. F.	4	Arne Waldstein Alvin V. Miller
S—5310	S. F.	2270	Tom Mann, Jr.
S—5311	S. F.	2014	Milo Colton
S—5312	S. F.	2235	Arthur A. Small, Jr.
S—5313	S. F.	2217	Edgar H. Holden C. Joseph Coleman
S—5314	S. F.	2164	Edgar H. Holden Arthur L. Gratias
S—5315	S. F.	2014	Milo Colton
S—5316	S. F.	2206	Douglas Ritsema
S—5317	S. F.	2018	Patrick J. Deluhery Tom Mann, Jr.
S—5318	S. F.	2294	Charles Bruner Richard F. Drake Tom Slater John N. Nystrom Bob Carr
S—5319	S. F.	2231	Tom Mann, Jr.
S—5320	H. F.	2340	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:48 p.m., until 9:00 a.m., Friday, March 9, 1984.

SIXTY-FIRST CALENDAR DAY , THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 9, 1984

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

Prayer was offered by the Reverend Faithe Ferre, pastor of the First Christian Church, Des Moines, Iowa.

The Journal of Thursday, March 8, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the day on the 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 March 8, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2306, a bill for an act permitting the conservation commission to alter or restrict the taking of wildlife.

House File 2397, a bill for an act including a child in need of treatment for chemical dependency within the definition of a child in need of assistance.

House File 2400, a bill for an act providing for uniform search warrants, applications for search warrants, endorsements for search warrants, and returns of search warrants.

House File 2411, a bill for an act relating to the definition of sexual abuse in the second degree.

House File 2423, a bill for an act establishing court jurisdiction over certain nonresidents in paternity and child support cases.

House File 2430, a bill for an act relating to the selection and operation of foster care review committees under the department of human services.

House File 2432, a bill for an act to establish a public transit assistance fund.

House File 2438, a bill for an act relating to the repayment of loans made under the science and mathematics loan program.

House File 2440, a bill for an act relating to the Iowa veterans home and its administration.

The foregoing bills were read first time and **passed on file**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2311.

Senate File 2311

On motion of Senator Drake, Senate File 2311, a bill for an act relating to access to records by the legislative fiscal bureau, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2311) the vote was:

Ayes, 46:

Briles	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer

Priebe
Rodgers
Soorholtz
Wells

Readerger
Schwengels
Taylor
Welsh

Rife
Slater
Tieden

Ritsema
Small
Van Gilst

Nays, none.

Absent or not voting, 4:

Anderson

Nystrom

Vande Hoef

Waldstein

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2294.

Senate File 2294

On motion of Senator Slater, Senate File 2294, a bill for an act relating to the examination of government records by providing for the procedures for their examination, for enforcement of those procedures, for the availability of certain records, and for the duties of the lawful custodians and providing for civil damages, was taken up for consideration.

Senator Bruner offered amendment S—5318 filed by Senators Bruner, et al., on March 8, 1984, to pages 2 through 4 and 7 through 9 of the bill and moved its adoption.

Amendment S—5318 was adopted by a voice vote.

Senator Brown withdrew amendment S—5287 filed by him on March 7, 1984, to page 4 of the bill.

Senator Small asked and received unanimous consent that further action on Senate File 2294 be deferred.

UNFINISHED BUSINESS (Deferred March 1, 1984)

Senate File 2014

The Senate resumed consideration of Senate File 2014, a bill for an act to establish limits to the amount of money a candidate's committee can accept from a political committee, amendment S—

5144 by the committee on State Government to page 1 of the bill and amendment S—5163 by Senators Colton and Mann to amendment S—5144, deferred on March 1, 1984.

Senator Colton asked and received unanimous consent that amendment S—5311 be taken up for immediate consideration.

Senator Colton offered amendment S—5311 filed by him on March 8, 1984, to strike the enacting clause of the bill.

Senator Kinley raised the point of order that amendment S—5311 was out of order under Section 401.3 of Mason's Manual of Legislative Procedure.

The Chair ruled the point not well taken pursuant to Senate Rule 13.

Senator Colton moved the adoption of amendment S—5311.

A record roll call was requested.

On the question "Shall amendment S—5311 be adopted?" (S.F. 2014) the vote was:

Ayes, 20:

Briles	Brown	Colton	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Horn
Hulse	Hultman	Husak	Jensen
Lind	Rife	Schwengels	Taylor

Nays, 29:

Anderson	Bruner	Carr	Coleman
Deluhery	Dieleman	Gallagher	Gentleman
Holt	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Ritsema	Rodgers
Slater	Small	Soorholtz	Tieden
Vande Hoef	Van Gilst	Waldstein	Welts
Welsh			

Absent or not voting, 1:

Nystrom

Amendment S—5311 lost.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5144, amendment S—5163 to amendment S—5144 and Senate File 2014 be deferred.

UNFINISHED BUSINESS

(Deferred March 1, 1984)

Senate File 2121

The Senate resumed consideration of Senate File 2121, a bill for an act relating to the establishment of a state historical building code, and amendment S—5166 by the committee on State Government to pages 1 through 4 and the title page of the bill, deferred on March 1, 1984.

Senator Deluhery offered amendment S—5203 filed by him on March 1, 1984, to amendment S—5166 and moved its adoption.

Amendment S—5203 was adopted by a voice vote.

Senator Gentleman moved the adoption of amendment S—5166, as amended, which motion prevailed by a voice vote.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2121) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Kinley

Nystrom

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 Hutchins asked and received unanimous consent to take up out of order Senate File 2265.

Senate File 2265

On motion of Senator Brown, Senate File 2265, a bill for an act allowing employees of area education agencies, school corporations, merged area schools, and regional library systems to use school credit cards upon authorization by their respective boards, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2265) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 2:

Kinley

Nystrom

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2273.

Senate File 2273

On motion of Senator Doyle, Senate File 2273, a bill for an act to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic, was taken up for consideration.

Senator Hester offered amendment S—5325 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5325 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2273) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Kinley Nystrom

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 2069

On motion of Senator Holden, Senate File 2069, a bill for an act relating to the exemption certificate furnished by the state, its agencies, and political subdivisions of the state for the delivery of tax-exempt motor fuel, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5217 filed by him on March 5, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5217 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2069) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Gallagher	Kinley	Nystrom
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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**SUBCOMMITTEE ASSIGNMENTS****SENATE FILE 2227**

Ways and Means
Palmer, Chair
Husak
Holt

SENATE FILE 2241

Judiciary
Dieleman, Chair
Gentleman
Horn

SENATE FILE 2255

Commerce
Gallagher, Chair
Bruner
Nystrom

HOUSE FILE 2062

Commerce
Bruner, Chair
Priebe
Tieden

HOUSE FILE 2338

Commerce
Bruner, Chair
Gallagher
Tieden

HOUSE FILE 2435

Judiciary
Mann, Chair
Ritsema
Small

SENATE 2239

Ways and Means
Small, Chair
Dieleman
Soorholtz

SENATE FILE 2242

Ways and Means
Carr, Chair
Palmer
Brown
Holden
Hester

HOUSE FILE 266

Ways and Means
Deluhery, Chair
Carr
Holden

HOUSE FILE 2334

Judiciary
Doyle, Chair
Mann
Welsh
Ritsema
Holt
Gentleman
Coleman

HOUSE FILE 2349

Judiciary
Ritsema, Chair
Mann
Small

SSB 2236

Education
Horn, Chair
Colton
Gratias

SSB 2239

Education
Brown, Chair
Gratias
Colton

SSB 2244

Ways and Means
Soorholtz, Chair
Dieleman
Van Gilst

SSB 2246

Ways and Means
Gratias, Chair
Carr
Brown

SSB 2242 (revised)

Small Business & Economic Development
Husak, Chair
Rodgers
Doyle
A. Miller
Readinger
Taylor
Hulse

SSB 2245

State Government
Bruner, Chair
Slater
Schwengels

LSB 4184S

Transportation
Coleman, Chair
Drake
Welsh

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2220 passed the Senate on March 8, 1984.

ARTHUR A. SMALL, JR.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5141 to Senate File 2181 was adopted by the Senate on February 17, 1984.

JOE J. WELSH

BILLS ASSIGNED TO COMMITTEE

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

H.F.	434	Local Government
H.F.	558	Human Resources
H.F.	591	State Government
H.F.	2043	Local Government
H.F.	2100	Natural Resources
H.F.	2107	Human Resources
H.F.	2111	Local Government
H.F.	2272	Transportation

H.F.	2348	Judiciary
H.F.	2351	Judiciary
H.F.	2352	Judiciary
H.F.	2371	Judiciary
H.F.	2372	Judiciary
H.F.	2373	Judiciary
H.F.	2374	Commerce
H.F.	2375	Human Resources
H.F.	2376	Transportation
H.F.	2377	Judiciary
H.F.	2379	Human Resources
H.F.	2385	Agriculture
H.F.	2391	Agriculture
H.F.	2414	Commerce
H.F.	2424	Judiciary
H.F.	2426	Energy

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: March 8, 1984, 8:34 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Gallagher, Holden and Tieden.

Members Absent: Nystrom and Palmer.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:42 a.m.

PRESENTATION OF VISITORS

President Anderson welcomed the Honorable Lucas J. DeKoster, former member of the Senate from Sioux County, who was present in the Senate chamber.

The Chair welcomed the Ventura Girls' State basketball tournament team from Ventura, Iowa, accompanied by Tom Fey and Coach Chuck Bredlow. Senator A. Miller.

AMENDMENTS FILED

S-5321	S. F.	2206	Tom Mann, Jr.
S-5322	S. F.	2007	William D. Palmer
S-5323	S. F.	2240	Edgar H. Holden
S-5324	S. F.	2199	Hurley W. Hall James D. Wells John W. Jensen
S-5325	S. F.	2273	Jack W. Hester
S-5326	S. F.	2232	C.W. Bill Hutchins
S-5327	S. F.	2315	Edgar H. Holden
S-5328	S. F.	2056	Wm. W. (Bill) Dieleman
S-5329	S. F.	2236	Tom Mann, Jr.
S-5330	S. F.	2274	Edgar H. Holden
S-5331	S. F.	2299	Joe Brown
S-5332	S. F.	2258	Donald V. Doyle
S-5333	S. F.	2274	Edgar H. Holden
S-5334	S. F.	2232	C.W. Bill Hutchins
S-5335	S. F.	2199	Emil J. Husak

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 8th day of March, 1984:

Senate File 442.

K. MARIE THAYER
Secretary of the Senate

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:47 a.m., until 10:00 a.m., Monday, March 12, 1984.

JOURNAL OF THE SENATE

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SIXTY-FOURTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 12, 1984

The Senate met in regular session at 10:00 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Perry De Groot, pastor of the Bethany Reform Church, Des Moines, Iowa.

The Journal of Friday, March 9, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Deluhery and Slater for the morning session on request of Senator Junkins and Senator Holden for the day on request of Senator Nystrom.

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 February 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2048, a bill for an act relating to conservation easements.

ALSO: That the House has on March 7, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2183, a bill for an act relating to the regulation of business entities and workers engaging in the removal or encapsulation of asbestos and providing penalties.

House File 2247, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties.

ALSO: That the House has on March 9, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2408, a bill for an act relating to the amount of securities required to be deposited by stock life insurance companies.

House File 2409, a bill for an act removing the priority of a mortgage given by the trustees of a cooperative housing association over any mortgage, lien, or encumbrance against an individual apartment or room or the owner's interest in an individual apartment or room.

House File 2454, a bill for an act relating to the filing of a list of unpaid obligations by state agencies with the state comptroller.

House File 2465, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility.

House File 2467, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain child support debts.

House File 2485, a bill for an act relating to the management of state government forms.

The foregoing bills were read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2322, by Bruner, a bill for an act providing an individual income tax deduction for handicapped individuals for certain expenses.

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

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

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins 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 BILL
(Noncontroversial Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2203.

Senate File 2203

On motion of Senator Carr, Senate File 2203, a bill for an act to allow a person who is an instructor or proprietor at a licensed school of cosmetology to serve on the board of cosmetology examiners, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2203) the vote was:

Ayes, 30:

Briles	Brown	Bruner	Carr
Coleman	Dieleman	Drake	Gallagher
Hester	Hulse	Hultman	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Nystrom	Palmer	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Tieden	Vande Hoef
Van Gilst	Welsh		

Nays, 17:

Anderson	Colton	Doyle	Gentleman
Gettings	Goodwin	Gratias	Hall
Holt	Horn	Husak	Lind
Miller, C.P.	Priebe	Taylor	Waldstein
Wells			

Absent or not voting, 3:

Deluhery	Holden	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.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2203 passed the Senate on March 12, 1984.

WILLIAM W. DIELEMAN

CONSIDERATION OF BILLS
(Noncontroversial Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2236.

Senate File 2236

On motion of Senator Mann, Senate File 2236, a bill for an act relating to the authority of the Iowa law enforcement academy director and the law enforcement academy council to establish standards of professional conduct and to enforce the standards and requirements, was taken up for consideration.

Senator Mann offered amendment S—5329 filed by him on March 9, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5329 was adopted by a voice vote.

Senator Mann offered amendment S—5260 filed by Senator Coleman on March 6, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5260 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2236) the vote was:

Ayes, 20:

Anderson
Carr
Gallagher
Junkins
Rodgers

Briles
Colton
Gettings
Kinley
Slater

Brown
Doyle
Holt
Mann
Small

Bruner
Drake
Horn
Palmer
Wells

Nays, 27:

Coleman	Dieleman	Gentleman	Goodwin
Gratias	Hall	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Welsh	

Absent or not voting, 3:

Deluhery	Holden	Readinger
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The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2335.

House File 2335

On motion of Senator Wells, House File 2335, a bill for an act relating to the liability of a county or city, or an administrative or legal entity created by a county or city, under the Iowa competition law, with report of committee recommending passage, was taken up for consideration (substituted for Senate File 2245 on March 8, 1984).

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2335) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery
Soorholtz

Doyle

Gallagher

Holden

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

Senator Wells asked and received unanimous consent that Senate File 2245 be withdrawn from further consideration of the Senate.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2271.

Senate File 2271

On motion of Senator Holt, Senate File 2271, a bill for an act relating to the department of public safety by providing for representation of members in criminal actions and the designation of department members as department administrative hearing officers, was taken up for consideration.

Senator Gentleman took the chair at 11:11 a.m.

Senator Welsh offered amendment S—5239 filed by him on March 5, 1984, to page 1 and to the title page of the bill.

Senator Ritsema raised the point of order that amendment S—5239 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5239 in order.

Senator Welsh moved the adoption of amendment S—5239, which motion prevailed by a voice vote.

Senator Mann filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5239 to Senate File 2271 was adopted by the Senate on March 12, 1984.

Senator Junkins asked and received unanimous consent that further action on the motion to reconsider amendment S—5239 and Senate File 2271 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2302.

Senate File 2302

On motion of Senator Ritsema, Senate File 2302, a bill for an act relating to grave or burial memorials by allowing their confiscation and return by law enforcement agencies, was taken up for consideration.

Senator Hester offered amendment S—5339 filed by Senators Hester and Coleman from the floor to page 1 and to the title page of the bill.

Senator Miller of Des Moines raised the point of order that amendment S—5339 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5339 in order.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5339 and Senate File 2302 be deferred.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2322	Ways and Means
H.F.	2048	Natural Resources
H.F.	2183	Labor & Industrial Relations
H.F.	2247	Local Government
H.F.	2389	Local Government
H.F.	2408	Commerce
H.F.	2454	State Government
H.F.	2467	Judiciary
H.F.	2485	State Government

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 March 7, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2301, a bill for an act relating to transferring responsibility for issuing commercial licenses and permits for the sale, use, purchase, possession and transportation, reporting of theft or loss, and regulation of disposal of explosives, to the state fire marshal, and the sale, possession, or use of the explosive nitroglycerin, providing a penalty, and transferring the responsibility for the inspection of explosive storage facilities from county sheriffs to the state fire marshal while reducing the number of inspections per year.

ALSO: That the House has on March 8, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2416, a bill for an act relating to employee continuation rights under an employer-provided health benefit plan and to employer liability for breaking an agreement to provide a health benefit plan for employees.

The foregoing bills were read first time and **passed on file**.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 7, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the name of Donald E. Snyder, Forest City, Winnebago County, Iowa, for appointment to the IPERS Advisory Investment Board pursuant to Section 97B.8, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read first time and referred to the committee on **Rules and Administration**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:56 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:35 p.m., President Anderson presiding.

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 March 12, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2404, a bill for an act relating to the definition of telephone companies not generally subject to rate regulation.

This bill was read first time and **passed on file**.

BILL ASSIGNED TO COMMITTEE

President Anderson announced that **House File 2421** was assigned to the committee on **Finance**.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 9, 1984)

Senate File 2294

The Senate resumed consideration of Senate File 2294, a bill for an act relating to the examination of government records by providing for the procedures for their examination, for enforcement of those procedures, for the availability of certain records, and for the duties of the lawful custodians and providing for civil damages, deferred on March 9, 1984.

Senator Mann offered amendment S—5345 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5345 was adopted by a voice vote.

Senator Small offered amendment S—5343 filed by him from the floor to pages 3, 6 and 7 of the bill and moved its adoption.

Amendment S—5343 was adopted by a voice vote.

With the adoption of amendment S—5343, the Chair ruled amendment S—5341 filed by Senator Small from the floor to pages 3, 6 and 7 of the bill, out of order.

Senator Gentleman offered amendment S—5346 filed by her from the floor to pages 2 and 3 of the bill and called for a division of the amendment: lines 2 through 5 as division S—5346A and lines 6 through 22 as division S—5346B.

Senator Gentleman moved the adoption of division S—5346A, which motion prevailed by a voice vote.

Senator Gentleman moved the adoption of division S—5346B.

A non record roll call was requested.

The ayes were 14, nays 30.

Division S—5346B lost.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2294) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Voting present, 1:

Doyle

Absent or not voting, 2:

Holden

Lind

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 Lind for the remainder of the week on request of Senator Hultman.

UNFINISHED BUSINESS

(Deferred March 8, 1984)

Senate File 2108

The Senate resumed consideration of Senate File 2108, a bill for an act relating to the annexation of land located within a rural water district or association, deferred on March 8, 1984.

Senator Vande Hoef offered amendment S—5340 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5340 was adopted by a voice vote.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2108) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Voting present, 1:

Doyle

Absent or not voting, 5:

Coleman	Hester	Holden	Lind
Rife			

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 2163

Senator Hultman withdrew the motion to reconsider Senate File 2163, a bill for an act relating to the definition of "best interest of the child" during dissolution proceedings, filed by him on March 5, 1984, and found on page 652 of the Senate Journal.

CONSIDERATION OF BILLS)
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2194.

Senate File 2194

On motion of Senator Coleman, Senate File 2194, a bill for an act relating to parking violations and providing, with certain exceptions, that parking violations not be considered for license suspensions or revocations, with report of committee recommending passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that House File 2330 be substituted for Senate File 2194.

House File 2330

On motion of Senator Coleman, House File 2330, a bill for an act relating to parking violations and providing, with certain exceptions, that parking violations not be considered for license suspensions or revocations, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2330) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Holden

Lind

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

Senator Coleman asked and received unanimous consent that Senate File 2194 be withdrawn from further consideration of the Senate.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2224.

Senate File 2224

On motion of Senator Welsh, Senate File 2224, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property, was taken up for consideration.

Senator Dieleman took the chair at 3:25 p.m.

Senator Mann offered amendment S—5176 filed by him on February 28, 1984, to page 1 and to the title page of the bill.

Senator Welsh raised the point of order that amendment S—5176 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5176 in order.

Senator Mann moved the adoption of amendment S—5176.

A non record roll call was requested.

A record roll call was requested.

On the question "Shall amendment S—5176 be adopted?" (S.F. 2224) the vote was:

Ayes, 14:

Anderson
Doyle
Mann
Ritsema

Coleman
Gallagher
Miller, A.V.
Rodgers

Colton
Gettings
Miller, C.P.

Deluhery
Kinley
Priebe

Nays, 33:

Briles	Brown	Bruner	Carr
Dieleman	Drake	Gentleman	Goodwin
Gratias	Hall	Hester	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Nystrom
Readinger	Rife	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Absent or not voting, 3:

Holden	Lind	Palmer
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Amendment S—5176 lost.

Senator Mann offered amendment S—5174 filed by him on February 28, 1984, to page 1 of the bill.

Senator Colton offered amendment S—5348 filed by him from the floor to amendment S—5174 and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 33.

Amendment S—5348 lost.

Senator Mann moved the adoption of amendment S—5174.

A record roll call was requested.

On the question "Shall amendment S—5174 be adopted?" (S.F. , 2224) the vote was:

Ayes, 20:

Anderson	Bruner	Coleman	Colton
Deluhery	Doyle	Gallagher	Gettings
Horn	Husak	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Ritsema	Rodgers	Slater	Small

Nays, 28:

Briles	Brown	Carr	Dieleman
Drake	Gentleman	Goodwin	Gratias

Hall
Hultman
Priebe
Soorholtz
Van Gilst

Hester
Hutchins
Readinger
Taylor
Waldstein

Holt
Jensen
Rife
Tieden
Wells

Hulse
Nystrom
Schwengels
Vande Hoef
Welsh

Absent or not voting, 2:

Holden

Lind

Amendment S—5174 lost.

Senator Small asked and received unanimous consent that further action on Senate File 2224 be deferred.

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 March 8, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 224, a bill for an act relating to the listing of dogs and collection of license fees by the assessor.

House File 2136, a bill for an act relating to the licensing and regulation of social workers, the deposit of license fees for the purpose of administration, and providing penalties for violations.

House File 2180, a bill for an act relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, allowing a county treasurer to issue, under certain circumstances, a restricted certificate of title to a person who was issued a junking certificate, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year.

House File 2380, a bill for an act authorizing the dissemination of criminal history data to certain youth service agencies.

House File 2396, a bill for an act relating to the exemption of law enforcement officials from the licensing requirements for private detectives.

House File 2398, a bill for an act allowing a maximum set-aside of ten percent of the total dollar amount of federal aid highway construction contracts let by the state department of transportation for bidding by prequalified disadvantaged business enterprises.

House File 2431, a bill for an act relating to the issuance of arrest warrants for work release violators or escapees.

ALSO: That the House has on March 9, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 509, a bill for an act to require registration with the secretary of state of certain schools that maintain or conduct courses of instruction.

House File 2284, a bill for an act relating to agreements for indemnification by the state in the event of loss of or damage to certain art objects and artifacts borrowed by nonprofit organizations or governmental entities for special exhibits.

House File 2345, a bill for an act relating to the maximum amount that may be garnished each year from a judgment debtor's personal income and providing for the validity of garnishment notice.

House File 2405, a bill for an act relating to the annual meetings of shareholders and the loans to officers of state banks.

House File 2410, a bill for an act relating to the location of the principal place of business and offices of a state bank.

House File 2455, a bill for an act relating to the timing and frequency of interviews by the board of parole.

House File 2469, a bill for an act relating to convicted offenders by providing that an assault on a correctional officer is an aggravated misdemeanor, allowing the use of juvenile records in certain sentencing proceedings, allowing the court to use mitigating circumstances to avoid the imposition of mandatory minimum terms, disallowing the use of good time to reduce mandatory minimum sentences imposed by the court, and providing penalties.

ALSO: That the House has on March 12, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties.

The foregoing bills were 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 2197, the following technical correction was made:

1. Page 4, line 26, of the original Senate File, "electon" was changed to "election".

K. MARIE THAYER,
Secretary of the Senate

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5239 to Senate File 2271 was adopted by the Senate on March 12, 1984.

MILO COLTON

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2236 failed to pass the Senate on March 12, 1984.

BERL E. PRIEBE

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 12, 1984, the Governor approved and transmitted to the Secretary of the State the following bill:

S.F. 442—Relating to access to library records by criminal justice agencies.

COMMUNICATION

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

IOWA OFFICE FOR PLANNING AND PROGRAMMING

On March 12, 1984, received a copy of the Office for Planning and Programming's first quarterly reports for the period of October 1, 1983 to December 31, 1983, pursuant to 1983 Iowa Acts, Chapter 207, Section 79.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2321	Labor & Industrial Relations
H. F.	405	State Government
H. F.	573	Judiciary
H. F.	2221	Transportation
H. F.	2267	Judiciary
H. F.	2301	State Government
H. F.	2306	Natural Resources
H. F.	2310	Transportation
H. F.	2393	Energy
H. F.	2397	Judiciary
H. F.	2400	Judiciary
H. F.	2404	Commerce
H. F.	2409	Commerce
H. F.	2411	Judiciary
H. F.	2416	Labor & Industrial Relations
H. F.	2417	Judiciary
H. F.	2423	Judiciary
H. F.	2430	Human Resources
H. F.	2432	Transportation
H. F.	2438	Education
H. F.	2440	State Government

STUDY BILL RECEIVED

S.S.B. 2248 Ways and Means

To increase the rate of the barrel tax.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable William Reichardt, former member of the Senate and House from Polk County, who was present in the Senate chamber.

PETITIONS

The following petitions were presented and placed on file by:

Senator Small from four hundred and forty residents of Iowa opposing legislative budget cuts to the University of Iowa journalism program.

Senator Priebe from thirty-one residents of Kossuth County favoring legislation for autonomous professional standards board.

Senator Colton from thirty-six residents of Woodbury County favoring legislation on state lottery.

Senator Readinger from eighteen residents of Polk County favoring legislation raising the legal drinking age from 19 to 21.

Senator Junkins from six thousand seven hundred and seventy-five residents of Iowa favoring legislation increasing state funding for substance abuse prevention and treatment programs to a minimum \$3.20 per capita.

The following petitions favoring legislation regarding a study and review of the Iowa drainage laws were presented and placed on file by:

Senator Priebe from twenty-four residents of Kossuth, Palo Alto, Emmet and Worth Counties.

Senator Priebe from four residents of the Kossuth County Board of Supervisors.

The following petitions favoring legislation concerning investment of state funds in corporations operating in racially segregated South Africa were presented and placed on file by:

Senator Priebe from thirty-seven residents of Kossuth and Pocahontas Counties.

AMENDMENTS FILED

S—5336	S. F.	2274	John N. Nystrom
S—5337	S. F.	2240	Julia Gentleman
S—5338	S. F.	2234	Julia Gentleman
S—5339	S. F.	2302	Jack W. Hester
			C. Joseph Coleman
S—5340	S. F.	2108	Richard Vande Hoef
S—5341	S. F.	2294	Arthur A. Small, Jr.

S—5342	S. F.	2014	Milo Colton Donald V. Doyle Dale L. Tieden Jack Rife Richard F. Drake Berl E. Priebe Don E. Gettings
S—5343	S. F.	2294	Arthur A. Small, Jr.
S—5344	S. F.	2280	Arthur A. Small, Jr. John N. Nystrom
S—5345	S. F.	2294	Tom Mann, Jr.
S—5346	S. F.	2294	Julia Gentleman
S—5347	S. F.	2316	C.W. Bill Hutchins James V. Gallagher C. Joseph Coleman John N. Nystrom Norman G. Rodgers John E. Soorholtz Berl E. Priebe Richard F. Drake Lee W. Holt Emil J. Husak Charles P. Miller
S—5348	S. F.	2224	Milo Colton
S—5349	S. F.	2316	Charles P. Miller Tom Slater Joe J. Welsh
S—5350	S. F.	2232	C.W. Bill Hutchins
S—5351	S. F.	2249	C. Joseph Coleman
S—5352	S. F.	2289	Charles Bruner
S—5353	H.F.	2386	C. Joseph Coleman

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Tuesday, March 13, 1984.

JOURNAL OF THE SENATE

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SIXTH-FIFTH CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 13, 1984

The Senate met in regular session at 9:10 a.m., President Anderson presiding.

Prayer was offered by the Reverend Henry Huddleston, pastor of the Newell United Methodist Church, Newell, Iowa.

The Journal of Monday, March 12, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the morning session on request of Senator Junkins.

MOTIONS TO RECONSIDER WITHDRAWN

House File 2295

Senator Gallagher withdrew the motion to reconsider House File 2295, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date, filed by him on March 5, 1984, and found on page 666 of the Senate Journal.

Senate File 2220

Senator Small withdrew the motion to reconsider Senate File 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to

accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions, filed by him on March 9, 1984, and found on page 760 of the Senate Journal.

Senator Holden withdrew the motion to reconsider Senate File 2220 filed by him on March 8, 1984, and found on page 749 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2262.

Senate File 2262

On motion of Senator Nystrom, Senate File 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered, was taken up for consideration.

Senator Nystrom offered amendment S—5286 filed by him on March 7, 1984, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5286 was adopted by a voice vote.

Senator Mann took the chair at 9:25 a.m.

Senator Ritsema offered amendment S—5280 filed by him on March 7, 1984, to page 2 of the bill.

Senator Nystrom offered amendment S—5284 filed by him on March 7, 1984, to amendment S—5280 and moved its adoption.

Amendment S—5284 was adopted by a voice vote.

Senator Ritsema moved the adoption of amendment S—5280 as amended, which motion prevailed by a voice vote.

Senator Holden offered amendment S—5240 filed by him on March 5, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5240 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2262) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Soorholtz
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Lind	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.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2284.

Senate File 2284

On motion of Senator Horn, Senate File 2284, a bill for an act relating to lease-purchase agreements made by an area education agency, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2284) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Colton	Deluhery	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Tieden	Vande Hoef	Van Gilst
Wells	Welsh		

Nays, 5:

Carr	Hester	Palmer	Ritsema
Waldstein			

Absent or not voting, 3:

Coleman	Lind	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.

Senator Colton took the chair at 10:15 a.m.

UNFINISHED BUSINESS (Deferred March 12, 1984)

Senate File 2224

The Senate resumed consideration of Senate File 2224, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property, deferred on March 12, 1984.

Senator Mann offered amendment S—5360 filed by him from the floor to page 1 of the bill and moved its adoption.

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 23.

Amendment S—5360 lost.

Senator Small offered amendment S—5355 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 19, nays 27.

Amendment S—5355 lost.

Senator Junkins asked and received unanimous consent that further action on Senate File 2224 be deferred.

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 March 9, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2472, a bill for an act relating to the transportation of open containers of alcoholic beverages and beer, the hours of sale of alcoholic beverages and beer, the notification of parents or legal guardians of a child that appears before the court for a violation of section 123.47, the motor vehicle license or nonoperator's identification card issued to a person under nineteen years of age, and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 12, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2167, a bill for an act relating to the cost of permanent soil and water conservation practices constructed under administrative order with public cost-sharing funds.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 12, 1984, **refused to concur** in Senate amendment to the following bill in which the concurrence of the House was asked:

House File 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:45 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Junkins 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 BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2232

Senate File 2232

On motion of Senator Priebe, Senate File 2232, a bill for an act relating to charges by small loan and industrial loan licensees by providing for a bad check charge, authorizing industrial loan licensees to collect an appraisal fee on loans secured by a mortgage and requiring industrial loan licensees to pay interest on funds held in escrow in connection with a single-family or two-family home loan, was taken up for consideration.

Senator Hutchins offered amendment S—5350 filed by him on March 12, 1984, to pages 1 and 2 and to the title page of the bill and moved its adoption.

Amendment S—5350 was adopted by a voice vote.

With the adoption of amendment S—5350, the Chair ruled amendment S—5326 filed by Senator Hutchins on March 12, 1984, to pages 1 and 2 and to the title page of the bill and amendment S—5334 to amendment S—5326 filed by Senator Hutchins on March 9, 1984, out of order.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2232) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Soorholtz	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Husak	Lind	Palmer	Small
Taylor			

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 2224

The Senate resumed consideration of Senate File 2224, previously deferred.

Senator Dieleman called up the following motion to reconsider filed by him from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5360 to Senate File 2224 failed to be adopted by the Senate on March 13, 1984.

A non record roll call was requested.

The ayes were 22, nays 25.

The motion lost.

Senator Mann offered amendment S—5364 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—5364 be adopted?" (S.F. 2224) the vote was:

Ayes, 22:

Anderson	Brown	Bruner	Coleman
Colton	Deluhery	Doyle	Gallagher
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Ritsema	Rodgers
Slater	Small		

Nays, 26:

Briles	Carr	Dieleman	Drake
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Hultman	Jensen	Nystrom
Readinger	Rife	Schwengels	Soorholtz
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Absent or not voting, 2:

Lind Taylor

Amendment S—5364 lost.

Senator Welsh withdrew amendment S—5356 filed by him from the floor to page 1 of the bill.

Senator Mann offered amendment S—5363 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—5363 be adopted?" (S.F. 2224) the vote was:

Ayes, 19:

Anderson	Bruner	Coleman	Colton
Deluhery	Doyle	Gallagher	Gettings
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, C.P.	Palmer
Rodgers	Slater	Small	

Nays, 27:

Briles	Brown	Carr	Dieleman
Drake	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Hultman	Jensen	Miller, A.V.
Nystrom	Priebe	Readinger	Rife
Schwengels	Soorholtz	Tieden	Van Gilst
Waldstein	Wells	Welsh	

Absent or not voting, 4:

Lind	Ritsema	Taylor	Vande Hoef
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Amendment S—5363 lost.

Senator Mann offered amendment S—5365 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—5365 be adopted?" (S.F. 2224) the vote was:

Ayes, 21:

Anderson	Bruner	Coleman	Colton
Deluhery	Doyle	Gallagher	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Ritsema	Rodgers	Slater
Small			

Nays, 27:

Briles	Brown	Carr	Dieleman
Drake	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt

Hulse
Readinger
Taylor
Waldstein

Hultman
Rife
Tieden
Wells

Jensen
Schwengels
Vande Hoef
Welsh

Nystrom
Soorholtz
Van Gilst

Absent or not voting, 2:

Gettings

Lind

Amendment S—5365 lost.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2224) the vote was:

Ayes, 36:

Anderson
Dieleman
Gettings
Hester
Hultman
Miller, A. V.
Readinger
Soorholtz
Van Gilst

Briles
Drake
Goodwin
Holden
Hutchins
Miller, C. P.
Rife
Taylor
Waldstein

Brown
Gallagher
Gratias
Holt
Jensen
Nystrom
Schwengels
Tieden
Wells

Carr
Gentleman
Hall
Hulse
Junkins
Priebe
Slater
Vande Hoef
Welsh

Nays, 12:

Bruner
Horn
Palmer

Coleman
Husak
Ritsema

Colton
Kinley
Rodgers

Deluhery
Mann
Small

Voting present, 1:

Doyle

Absent or not voting, 1:

Lind

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 2232, 2262 and 2284 be immediately messaged to the House.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2224 passed the Senate on March 13, 1984.

TOM MAÑN, JR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2224 passed the Senate on March 13, 1984.

JAMES V. GALLAGHER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2224 passed the Senate on March 13, 1984.

JOE J. WELSH

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 108, by Drake, Taylor, Tieden, Hulse, Goodwin, Husak, Doyle, Rodgers, Hall, Ritsema, Hester, Slater, Holt, Hutchins, Coleman, Nystrom, Rife, Briles, Carr, Gettings, Jensen, Wells, Hultman, Anderson, Waldstein, Soorholtz, Vande Hoef, Schwengels, Readinger, Kinley, Palmer, Miller of Cerro Gordo, Welsh, Colton, Lind and Van Gilst, a concurrent resolution relating to the state department of transportation procedure for selection of engineering and architectural services.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 2323, by Committee on Ways and Means, a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, and making technical corrections.

Read first time and placed on the Ways and Means Calendar.

Senate File 2324, by Committee on Ways and Means, a bill for an act relating to the definition and taxation of real property within a self-supported municipal improvement district.

Read first time and placed on the Ways and Means Calendar.

Senate File 2325, by Committee on Ways and Means, a bill for an act relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978 for personal and corporate and franchise tax purposes and making the Act retroactive.

Read first time and placed on the Ways and Means Calendar.

Senate File 2326, by Committee on Ways and Means, a bill for an act relating to the taxation of engraving, photography, retouching, printing, and binding under the state sales, services, and use tax.

Read first time and placed on the Ways and Means Calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 2:38 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:33 p.m., Senator Coleman presiding.

President Anderson took the chair at 4:35 p.m.

QUORUM CALL

Senator Hutchins 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 BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2289.

Senate File 2289

On motion of Senator Husak, Senate File 2289, a bill for an act relating to the involvement of the state in a world trade center, was taken up for consideration.

Senator Bruner offered amendment S—5352 filed by him on March 12, 1984, to pages 1 through 5 of the bill.

Senator Gallagher offered amendment S—5378 filed by him from the floor to amendment S—5352 and moved its adoption.

Amendment S—5378 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5352 as amended.

A record roll call was requested.

On the question "Shall amendment S—5352 as amended be adopted?" (S.F. 2289) the vote was:

Ayes, 11:

Bruner	Carr	Coleman	Colton
Gallagher	Hall	Holden	Horn
Mann	Slater	Wells	

Nays, 37:

Anderson	Briles	Brown	Deluhery
Dieleman	Drake	Gentleman	Gettings
Goodwin	Gratias	Hester	Holt
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Welsh			

Absent or not voting, 2:

Doyle	Lind
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Amendment S—5352 as amended lost.

Senator Gallagher offered amendment S—5278 filed by him on March 7, 1984, to pages 2 through 4 of the bill and called for a division of the amendment: lines 2 through 5 as division S—5278A; lines 6 and 7 as division S—5278B; and line 8 as division S—5278C.

Senator Gallagher moved the adoption of division S—5278A, which motion lost by a voice vote.

Senator Gallagher asked and received unanimous consent that further action on divisions S-5278B and S-5278C and **Senate File 2289** be deferred.

MOTION TO RECONSIDER WITHDRAWN

Senator Mann asked and received unanimous consent to withdraw the motion to reconsider **Senate File 2224**, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property, filed by him on March 13, 1984, and found on page 795 of the Senate Journal.

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 March 12, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2369, a bill for an act relating to noxious weeds listed in chapter 317 and providing a penalty.

House File 2378, a bill for an act relating to the board of parole.

House File 2387, a bill for an act relating to the authority of the department of water, air and waste management over public water supply systems.

House File 2390, a bill for an act relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws.

House File 2425, a bill for an act relating to the commitment of children and certain adults either to the state training school or the appropriate adult correctional facility.

House File 2488, a bill for an act relating to the protection of children by amending Iowa's child abuse, delinquency, and child-in-need-of-assistance laws.

The foregoing bills were read first time and **passed on file**.

ALSO: That the House has on March 12, 1984, concurred in the Senate amendment as amended (S—5376) and passed the following bill in which the concurrence of the Senate is asked:

House File 111, a bill for an act relating to reseeding the topsoil of open ditches with prairie grass seed..

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following appointment to a state board on the **En Bloc Confirmation Calendar** on March 12, 1984, and recommended the appointment be confirmed by the Senate:

Donald E. Snyder—IPERS Advisory Investment Board

LOWELL L. JUNKINS, Chair

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2203 passed the Senate on March 12, 1984.

BOB CARR

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 thirteenth day of March, 1984:

Senate File 2089.

K. MARIE THAYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificate of recognition has been issued as follows:

The Vinton Vikettes and Coach Harold Shepherd—For being the 1984 Girls' State Basketball Champions. Senator Husak (March 10, 1984.)

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5350 to Senate File 2232, the following technical corrections were made to the original Senate File:

1. Page 1, line 27 "6." was changed to "5."
2. Page 2, line 3, "subsections 5 and 6 are" was changed to "subsection 5 is".

K. MARIE THAYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

H.F.	224	Local Government
H.F.	509	Education
H.F.	2136	State Government
H.F.	2180	Transportation
H.F.	2284	State Government
H.F.	2332	Human Resources
H.F.	2345	Judiciary
H.F.	2380	Judiciary
H.F.	2396	Judiciary
H.F.	2398	Transportation
H.F.	2405	Commerce
H.F.	2410	Commerce
H.F.	2431	Judiciary
H.F.	2455	Judiciary
H.F.	2469	Judiciary

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 13, 1984, 3:33 p.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Gallagher, Hutchins, A. Miller, Vande Hoef and Waldstein.

Members Absent: Hester, Ranking Member; Husak and Taylor.

Final Bill Action: HOUSE FILE 80, a bill for an act relating to eligibility to serve on the board of trustees of a levee or drainage district.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Priebe, Van Gilst, Gallagher, Hutchins, A. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Hester, Husak and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:37 p.m.

COMMERCE

Convened: March 13, 1984, 8:47 a.m.

Members Present: Kinley, Chair; Jensen, Ranking Member; Bruner, Gallagher, Holdeh and Nystrom.

Members Absent: Priebe, Vice Chair; Tieden (both excused), Deluhery and Palmer.

Final Bill Action: HOUSE FILE 2338, a bill for an act requiring telephone companies to provide a listing of directory assistance charges and striking a prohibition against directory assistance charges for telephone numbers which do not appear in the most recent telephone directory.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Kinley, Jensen, Bruner, Gallagher, Holden and Nystrom. Nays, none. Absent or not voting, 4: Priebe, Deluhery, Palmer and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 9:54 a.m.

ENERGY

Convened: March 12, 1984, 4:59 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Brown, Bruner, Hulse, C. Miller, Tieden and Van Gilst.

Members Absent: Hultman (excused).

Final Bill Action: HOUSE FILE 489, a bill for an act relating to membership on the interagency coordinating council on radiation safety.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5375.

Final Vote: Ayes, 9: Gallagher, Colton, Rife, Brown, Bruner, Hulse, C. Miller, Tieden and Van Gilst. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2426, a bill for an act relating to the study of the feasibility of a state-owned waste treatment and resource recovery facility.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gallagher, Colton, Rife, Brown, Bruner, Hulse, C. Miller, Tieden and Van Gilst. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 5:11 p.m.

HUMAN RESOURCES

Convened: March 13, 1984, 3:40 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Briles, Coleman, Gratias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: none.

Final Bill Action: HOUSE FILE 2375, a bill for an act providing for the surrender and disposition of earnings of persons committed to residential treatment centers operated by judicial district departments of correctional services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2379, a bill for an act extending the dates for application and approval of community mental health and mental retardation funding.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned House File 558 to subcommittee.

Adjourned: 4:00 p.m.

JUDICIARY

Convened: March 12, 1984, 4:50 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Gentleman, Goodwin, Holt, Horn and Welsh.

Members Absent: Briles, Drake and Small.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 5:10 p.m.

LOCAL GOVERNMENT

Convened: March 13, 1984, 8:34 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Colton, Goodwin, Mann, C. Miller, Vande Hoef and Waldstein.

Members Absent: Brown.

Final Bill Action: HOUSE FILE 205, a bill for an act relating to the eligibility of property owners to protest changes in zoning districts.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Wells, Briles, Colton, Goodwin, C. Miller, Mann, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 425, a bill for an act relating to the official title of the chief executive officer of a county conservation board and the compensation of its officers and employees.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Wells, Briles, Colton, Goodwin, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; deferred action on House Files 2220 and 2389.

Adjourned: 9:09 a.m.

STATE GOVERNMENT

Convened: March 13, 1984, 10:50 a.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: Coleman (excused.)

Final Bill Action: HOUSE FILE 580, a bill for an act relating to the authority of licensing boards under the continuing education chapter.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2067, a bill for an act establishing the age limit for participants in amateur boxing.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2126, a bill for an act relating to the membership of legislative visitation committees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Carr, Nystrom, Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2189, a bill for an act creating a commission on children youth, and families and providing its purpose and duties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Slater, Carr, Nystrom, Dieleman, Briles, Bruner, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, 1: Drake. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 11:20 a.m.

TRANSPORTATION

Convened: March 13, 1984, 2:45 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Priebe and Welsh (arrived 2:55 p.m.)

Members Absent: Lind and Nystrom (both excused.)

Final Bill Action: HOUSE FILE 2071, a bill for an act to provide for the transportation commission to submit the results of the quadrennial need study to the general assembly by January 1 of the year in which the quadrennial need study becomes effective.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, A. Miller, Drake, Doyle, Hall, Jensen and Priebe. Nays, none. Absent or not voting, 3: Lind, Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2212, a bill for an act to provide for the placement of validation stickers on only the rear registration plate for certain motor vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; discussed House File 2202.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: March 12, 1984, 1:30 p.m.

Members Present: Palmer, Chair; Carr (arrived 1:37 p.m.), Deluhery (arrived 1:45 p.m.), Dieleman, Gratias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz (arrived 1:38 p.m.) and Van Gilst.

Members Absent: Holden, Ranking Member (excused); Husak, Vice Chair and Brown.

Final Bill Action: SENATE FILE 2323 (SSB 2124), a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, and making technical corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz and Van Gilst. Nays, none. Absent or not voting, 3: Husak, Holden and Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2324 (SSB 2244), a bill for an act relating to the definition and taxation of real property within a self-supported municipal improvement district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz and Van Gilst. Nays, none. Absent or not voting, 3: Husak, Holden and Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2325 (SSB 2182), a bill for an act relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978 for personal and corporate and franchise tax purposes and making the Act retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Carr, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz and Van Gilst. Nays, none. Absent or not voting, 4: Husak, Holden, Brown and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2326 (SSB 2209), a bill for an act relating to the taxation of engraving, photography, retouching, printing, and binding under the state sales, services, and use tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Carr, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz and Van Gilst. Nays, none. Absent or not voting, 4: Husak, Holden, Brown and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:50 p.m.

AMENDMENTS FILED

S-5354	H.F.	540	C.W. Bill Hutchins
S-5355	S. F.	2224	Arthur A. Small, Jr.
S-5356	S. F.	2224	Joe J. Welsh
S-5357	H.F.	2218	Richard F. Drake
			Joe J. Welsh

S-5358	S. F.	2303	Edgar H. Holden
S-5359	S. F.	2251	Bob Carr
S-5360	S. F.	2224	Tom Mann, Jr.
S-5361	S. F.	2316	Edgar H. Holden
S-5362	S. F.	2014	Tom Slater Charles Bruner
S-5363	S. F.	2224	Tom Mann, Jr.
S-5364	S. F.	2224	Tom Mann, Jr.
S-5365	S. F.	2224	Tom Mann, Jr.
S-5366	H. F.	2386	Arne Waldstein Joe J. Welsh Richard F. Drake
S-5367	S. F.	2271	Milo Colton Lee W. Holt
S-5368	S. F.	2271	Milo Colton Tom Mann, Jr.
S-5369	S. F.	2274	Edgar H. Holden
S-5370	S. F.	2274	Hurley W. Hall
S-5371	S. F.	2278	Charles Bruner Edgar H. Holden Tom Slater
S-5372	S. F.	2206	Tom Slater
S-5373	S. F.	2303	Edgar H. Holden Don E. Gettings
S-5374	S. F.	2217	Edgar H. Holden
S-5375	H. F.	489	Energy
S-5376	H. F.	111	House Amendment
S-5377	S. F.	2274	Edgar H. Holden
S-5378	S. F.	2289	James V. Gallagher
S-5379	S. F.	2289	James V. Gallagher
S-5380	S. F.	2206	Tom Mann, Jr.
S-5381	S. F.	2274	Hurley W. Hall
S-5382	S. F.	2274	Tom Slater Charles P. Miller Joe J. Welsh
S-5383	S. F.	2315	Edgar H. Holden
S-5384	S. F.	2164	Joe Brown Bob Carr

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Wednesday, March 14, 1984.

JOURNAL OF THE SENATE

811

SIXTY-SIXTH CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 14, 1984

The Senate met in regular session at 9:09 a.m., President Anderson presiding.

Prayer was offered by the Reverend Fred Richardson, pastor of the Morley Faith Methodist Church, Olin, Iowa.

The Journal of Tuesday, March 13, 1984, was approved.

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 March 12, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2279, a bill for an act relating to regulation of taxicabs by cities.

This bill was read first time and passed on file.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2224

Senator Gallagher withdrew the motion to reconsider Senate File 2224, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property, filed by him on March 13, 1984, and found on page 795 of the Senate Journal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2228.

Senate File 2228

On motion of Senator Miller of Cerro Gordo, Senate File 2228, a bill for an act prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home, was taken up for consideration.

Senator Wells offered amendment S—5207 filed by him on March 1, 1984, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 38, nays 4, voting present 1.

Amendment S—5207 was adopted.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2228) the vote was:

Ayes, 40:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hultman	Husak	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Taylor	Tieden
Van Gilst	Waldstein	Wells	Welsh

Nays, 5:

Hester	Hulse	Jensen	Ritsema
Soorholtz			

Voting present, 1:

Hutchins

Absent or not voting, 4:

Lind	Mann	Small	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.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2224

Senator Welsh withdrew the motion to reconsider Senate File 2224, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property, filed by him on March 13, 1984, and found on page 795 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 2224 and 2228 be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the morning session on request of Senator Junkins.

UNFINISHED BUSINESS (Deferred March 13, 1984)

Senate File 2289

The Senate resumed consideration of Senate File 2289, a bill for an act relating to the involvement of the state in a world trade center, divisions S—5278B and S—5278C by Senator Gallagher, deferred on March 13, 1984.

Senator Gallagher withdrew divisions S—5278B and S—5278C to pages 2 through 4 of the bill.

Senator Gallagher offered amendment S—5385 filed by Senators Gallagher, et al., from the floor to pages 2 through 4 of the bill and called for a division of the amendment: lines 2 through 15 as division S—5385A and lines 16 through 26 as division S—5385B.

Senator Hutchins called for a further division of amendment S—5385:

Division S—5385A: lines 4 through 9.

Division S—5385B: lines 16 through 26.

Division S—5385C: lines 2 and 3 and lines 10 through 15.

Senator Van Gilst took the chair at 10:35 a.m.

Senator Gallagher moved the adoption of division S—5385A.

A record roll call was requested.

On the question "Shall division S—5385A be adopted?" (S.F. 2289) 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	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Gallagher	Gettings	Gratias	Hall
Holden	Miller, C.P.	Palmer	Priebe
Ritsema	Schwengels	Taylor	Tieden
Waldstein	Wells		

Nays, 26:

Briles	Deluhery	Drake	Gentleman
Goodwin	Hester	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Nystrom	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Vande Hoef
Van Gilst	Welsh		

Absent or not voting, 2:

Lind	Mann
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Division S—5385A lost.

Senator Gallagher asked and received unanimous consent to take up for consideration division S—5385C.

President Anderson took the chair at 10:41 a.m.

Senator Gallagher moved the adoption of division S—5385C, which motion prevailed by a voice vote.

(Division S—5385B and Senate File 2289 pending on recess.)

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 March 9, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2486, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug, providing instruction and treatment for drinking drivers, declaring certain acts illegal and establishing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 12, 1984, passed the following bill in which the concurrence of the House was asked:

Senate File 2244, a bill for an act relating to public bonds and obligations by correcting references and providing for payment of the costs of registration.

ALSO: That the House has on March 12, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2464, a bill for an act relating to the measurement of pipeline depth by pipeline companies.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 13, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 531, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining.

This bill was read first time and **passed on file**.

House File 2452, a bill for an act relating to the requirement of bail during and after a period of deferred judgment and to the discharge of surety bail upon the occurrence of specified conditions.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:45 a.m., until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:17 p.m., Senator Jensen presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

RECESS

On motion of Senator Junkins, the Senate recessed at 1:35 p.m., until 3:45 p.m.

RECONVENED

The Senate reconvened at 3:55 p.m., President Anderson presiding.

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 March 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2392, a bill for an act relating to the psychological testing of law enforcement, corrections, parole, and probation officers and community correctional service workers.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Husak 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

Senate File 2289

The Senate resumed consideration of Senate File 2289 and division S—5385B by Senators Gallagher, et al., to pages 2 through 4 of the bill, pending on recess.

Senator Gallagher moved the adoption of division S—5385B and requested a record roll call.

On the question "Shall division S—5385B be adopted?" (S.F. 2289) the vote was:

Ayes, 20:

Anderson	Bruner	Carr	Coleman
Colton	Doyle	Gallagher	Gettings
Gratias	Hall	Holden	Horn
Mann	Miller, C.P.	Palmer	Priebe
Schwengels	Tiedeh	Waldstein	Wells

Nays, 29:

Briles	Brown	Deluhery	Dieleman
Drake	Gentleman	Goodwin	Hester
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Nystrom	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Welsh			

Absent or not voting, 1:

Lind

Division S—5385B lost.

Senator Soorholtz took the chair at 4:28 p.m.

Senator Gallagher offered amendment S—5399 filed by him from the floor to page 3 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5399 be adopted?" (S.F. 2289) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Anderson	Bruner	Carr	Coleman
Colton	Dieleman	Doyle	Gallagher
Gettings	Gratias	Hall	Holden
Holt	Horn	Mann	Miller, C.P.
Priebe	Ritsema	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 26:

Briles	Brown	Deluhery	Drake
Gentleman	Goodwin	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A.V.	Nystrom
Palmer	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Van Gilst	Welsh		

Absent or not voting, 1:

Lind

Amendment S—5399 lost.

Senator Gallagher withdrew amendment S—5395 filed by him from the floor to page 3 of the bill.

Senator Gallagher withdrew amendment S—5379 filed by him on March 13, 1984, to page 4 of the bill.

President Anderson took the chair at 4:55 p.m.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2289) the vote was:

Ayes, 34:

Anderson	Briles	Brown	Deluhery
Dieleman	Drake	Gallagher	Gentleman
Goodwin	Gratias	Hester	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A.V.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Welsh		

Nays, 15:

Bruner	Carr	Coleman	Colton
Doyle	Gettings	Hall	Holden
Holt	Horn	Mann	Miller, C.P.
Ritsema	Tieden	Wells	

Absent or not voting, 1:

Lind

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 2289 passed the Senate on March 14, 1984.

JAMES V. GALLAGHER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2289 passed the Senate on March 14, 1984.

EMIL J. HUSAK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2289 passed the Senate on March 14, 1984.

TED ANDERSON

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	108	Transportation
H. F.	531	Natural Resources
H. F.	2167	Agriculture
H. F.	2279	Local Government
H. F.	2369	Agriculture
H. F.	2378	Judiciary
H. F.	2387	Natural Resources
H. F.	2390	Appropriations
H. F.	2425	Judiciary
H. F.	2439	Judiciary
H. F.	2452	Judiciary
H. F.	2464	Commerce
H. F.	2488	Judiciary

FURTHER REPORT OF COMMITTEE MEETING

HUMAN RESOURCES*

*A previous report of this meeting was recorded on page 803 of the Senate Journal.

Final Bill Action: HOUSE FILE 558, a bill for an act revising Iowa's aid to dependent children law to conform to federal law and the practices of the department of human services.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5392.

Final Vote: Ayes, 11: Carr, C. Miller, Gentleman, Briles, Coleman, Gratias, Hall, Horn, Mann, Ritsema and Soorholtz. Nays, none. Absent or not voting, 1: Slater.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILL RECEIVED

S.S.B. 2249 Appropriations

Relating to the lease of real and personal property and facilities for use in energy or telecommunications projects by a state board, department, agency, or authority and allowing lease-purchase agreements and security enhancements arrangements in connection with the leases.

REPORT OF COMMITTEE MEETINGS

ENERGY

Convened: March 14, 1984, 1:00 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Brown, Hulse, C. Miller and Tieden.

Members Absent: Rife, Ranking Member; Bruner, Hultman and Van Gilst.

Final Bill Action: HOUSE FILE 2393, a bill for an act relating to the authority of the department of water, air and waste management over used oil.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Gallagher, Colton, Brown, Hulse, C. Miller and Tieden. Nays, none. Absent or not voting, 4: Rife, Bruner, Hultman and Van Gilst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned House File 2393 to subcommittee.

Adjourned: 1:05 p.m.

WAYS AND MEANS

Convened: March 13, 1984, 2:45 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown (arrived 2:55 p.m.), Carr, Deluhery, Dieleman, Gratias, Hester, Holt, Readinger, Rodgers, Small (arrived 2:55 p.m.), Soorholtz and Van Gilst.

Members Absent: none.

Other Committee Business: Assigned bills to subcommittees; discussed Senate File 2056.

Adjourned: 3:40 p.m.

PRESENTATION OF VISITORS

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

Forty-five students from North High School, Sioux City, Iowa, accompanied by Larry Twait and Dodd Hensley. Senators Colton and Doyle.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. J. X. Latella, D.O., Webster City, Iowa.

AMENDMENTS FILED

S—5385	S. F.	2289	James V. Gallagher Arne Waldstein Arthur L. Gratias Dale L. Tieden
S—5386	S. R.	106	Wm. W. (Bill) Dieleman George R. Kinley
S—5387	H.F.	2302	Julia Gentleman
S—5388	S. F.	2292	Julia Gentleman
S—5389	S. F.	2316	Charles P. Miller Tom Slater C.W. Bill Hutchins
S—5390	S. F.	2274	Edgar H. Holden
S—5391	S. F.	2099	Tom Slater Charles Bruner Berl E. Priebe
S—5392	H.F.	558	Human Resources
S—5393	H.F.	2426	Charles Bruner
S—5394	S. F.	2308	Emil J. Husak
S—5395	S. F.	2289	James V. Gallagher
S—5396	S. F.	2240	Charles P. Miller
S—5397	S. F.	2274	Charles P. Miller
S—5398	H.F.	558	Charles P. Miller

S—5399

S. F. 2289

James V. Gallagher

S—5400

S. F. 2299

Joe Brown

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Thursday, March 15, 1984.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 15, 1984

The Senate met in regular session at 9:00 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend T.J. Wiggins, pastor of the Faith Lutheran Church. Andover, Iowa.

The Journal of Wednesday, March 14, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Cerro Gordo for the morning session on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2303.

Senate File 2303

On motion of Senator Doyle, Senate File 2303, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and eliminating governmental immunity for public improvements, was taken up for consideration.

Senator Doyle asked and received unanimous consent that further action on Senate File 2303 be deferred.

MOTION TO RECONSIDER WITHDRAWN

House File 2295

Senator Palmer withdrew the motion to reconsider House File 2295, a bill for an act relating to lotteries by providing for a state

lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing a penalty, providing that revenue generated shall be distributed to the general fund for economic development initiatives of a nonrecurring nature, creating an economic development initiatives advisory board, providing for repeal of the Act, and providing an effective date, filed by him on March 5, 1984, and found on page 673 of the Senate Journal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2338.

House File 2338

On motion of Senator Bruner, House File 2338, a bill for an act requiring telephone companies to provide a listing of directory assistance charges and striking a prohibition against directory assistance charges for telephone numbers which do not appear in the most recent telephone directory, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on House File 2338 be deferred.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2203

Senator Carr withdrew the motion to reconsider Senate File 2203, a bill for an act to allow a person who is an instructor or proprietor at a licensed school of cosmetology to serve on the board of cosmetology examiners, filed by him on March 13, 1984, and found on page 800 of the Senate Journal.

Senator Dieleman withdrew the motion to reconsider Senate File 2203, filed by him on March 12, 1984, and found on page 766 of the Senate Journal.

President Anderson took the chair at 9:20 a.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Holden asked and received unanimous consent to take up out of order Senate File 2291.

Senate File 2291

On motion of Senator Holden, Senate File 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards, was taken up for consideration.

Senator Husak offered amendment S—5401 filed by Senators Husak and Rife from the floor to page 1 of the bill.

Senator Husak asked and received unanimous consent that further action on amendment S—5401 be deferred.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2291** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2257.

Senate File 2257

On motion of Senator Deluhery, Senate File 2257, a bill for an act relating to the ownership of joint transmission facilities, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2257) the vote was:

Ayes, 46:

Anderson
Carr
Doyle
Gettings
Hester
Hulse

Briles
Coleman
Drake
Goodwin
Holden
Hultman

Brown
Deluhery
Gallagher
Gratias
Holt
Husak

Bruner
Dieleman
Gentleman
Hall
Horn
Hutchins

Jensen	Junkins	Kinley	Mann
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Colton	Lind	Miller, A.V.	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 Hutchins asked and received unanimous consent to take up out of order Senate File 2286.

Senate File 2286

On motion of Senator Rodgers, Senate File 2286, a bill for an act to amend the merit review standards for new issues of securities under the Iowa blue sky law, was taken up for consideration.

Senator Rodgers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2286) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Miller, A.V.	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.

SENATE INSISTS

House File 406

Senator Van Gilst called up for consideration House File 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles, amended by the Senate, and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

BUSINESS PENDING

Senate File 2291

The Senate resumed consideration of Senate File 2291 and amendment S—5401 by Senators Husak and Rife to page 1 of the bill, previously deferred.

Senator Holden offered amendment S—5406 filed by him from the floor to amendment S—5401 and moved its adoption.

Amendment S—5406 was adopted by a voice vote.

Senator Kinley raised the point of order that amendment S—5401 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—5401 as amended out of order.

Senator Carr offered amendment S—5404 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—5404 be adopted?" (S.F. 2291) the vote was:

Ayes, 22:

Anderson

Bruner

Carr

Coleman

Dieleman	Doyle	Drake	Gallagher
Gettings	Hester	Husak	Hutchins
Mann	Miller, C.P.	Priebe	Rife
Ritsema	Schwengels	Slater	Taylor
Wells	Welsh		

Nays, 26:

Briles	Brown	Colton	Deluhery
Gentleman	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Jensen	Junkins	Kinley
Nystrom	Palmer	Readinger	Rodgers
Small	Soorholtz	Tieden	Vande Hoef
Van Gilst	Waldstein		

Absent or not voting, 2:

Lind Miller, A.V.

Amendment S—5404 lost.

Senator Carr offered amendment S—5405 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—5405 be adopted?" (S.F. 2291) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Anderson	Bruner	Carr	Coleman
Dieleman	Doyle	Drake	Gallagher
Gettings	Hall	Hester	Horn
Husak	Hutchins	Mann	Miller, C.P.
Palmer	Priebe	Rife	Schwengels
Slater	Tieden	Wells	Welsh

Nays, 24:

Briles	Brown	Colton	Deluhery
Gentleman	Goodwin	Gratias	Holden
Holt	Hulse	Hultman	Jensen
Junkins	Kinley	Nystrom	Readinger
Ritsema	Rodgers	Small	Soorholtz
Taylor	Vande Hoef	Van Gilst	Waldstein

Absent or not voting, 2:

Lind

Miller, A.V.

Amendment S—5405 lost.

Senator Carr offered amendment S—5403 filed by him from the floor to page 1 of the bill and moved its adoption.

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 25.

Amendment S—5403 lost.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2291** be deferred.

BUSINESS PENDING

House File 2338

The Senate resumed consideration of House File 2338, previously deferred.

Senator Gentleman offered amendment S—5407 filed by her from the floor to page 1 and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 5, nays 40.

Amendment S—5407 lost.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2338) the vote was:

Ayes, 43:

Anderson

Briles

Brown

Bruner

Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 4:

Deluhery	Gentleman	Ritsema	Small
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Absent or not voting, 3:

Lind	Miller, A.V.	Nystrom
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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 2291

The Senate resumed consideration of Senate File 2291, previously deferred.

Senator Bruner offered amendment S—5409 filed by Senators Bruner and Rife from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 27.

Amendment S—5409 lost.

Senator Junkins asked and received unanimous consent that further action on **Senate File 2291** be deferred.

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 March 8, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2415, a bill for an act providing for the creation of a home equity line of credit and priority of advances under mortgages securing the home equity line of credit.

This bill was read first time and **passed on file.**

ALSO: That the House has on March 13, 1984, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 101, a resolution providing for an amendment to the Joint Rules of the Seventieth General Assembly.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:15 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:33 p.m., Senator Colton presiding.

QUORUM CALL

Senator Junkins 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 Schwengels for the afternoon session on request of Senator Hultman.

President Anderson took the chair at 2:45 p.m.

BUSINESS PENDING

Senate File 2291

The Senate resumed consideration of Senate File 2291, previously deferred.

Senator Ritsema offered amendment S—5410 filed by him from the floor to page 1 of the bill.

Senator Ritsema asked and received unanimous consent that action on amendment S—5410 be deferred.

Senator Rife offered amendment S—5411 filed Senators Rife and Husak from the floor to page 1 of the bill.

Senator Kinley raised the point of order that amendment S—5411 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5411 out of order.

Senator Ritsema moved the adoption of amendment S—5410, previously deferred.

Amendment S—5410 was adopted by a voice vote.

Senator Brown 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—5405 to Senate File 2291 failed to be adopted by the Senate on March 15, 1984.

A non record roll call was requested.

The ayes were 26, nays 20.

The motion prevailed and amendment S—5405 by Senator Carr to page 1 of the bill, was taken up for reconsideration.

Senator Carr moved the adoption of amendment S—5405.

A non record roll call was requested.

A record roll call was requested.

On the question "Shall amendment S—5405 be adopted?" (S.F. 2291) 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	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gettings	Hall
Hester	Husak	Hutchins	Mann
Miller, C.P.	Palmer	Priebe	Rife
Slater	Tieden	Wells	Welsh

Nays, 22:

Briles	Deluhery	Gentleman	Godwin
Gratias	Holden	Holt	Horn
Hulse	Hultman	Jensen	Junkins
Kinley	Miller, A.V.	Readinger	Ritsema
Rodgers	Small	Soorholtz	Vande Hoef
Van Gilst	Waldstein		

Absent or not voting, 4:

Lind	Nystrom	Schwengels	Taylor
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Amendment S—5405 was adopted.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2291) the vote was:

Ayes, 39:

Anderson	Briles	Brown	Coleman
Colton	Deluhery	Dieleman	Doyle
Gallagher	Gentleman	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Ritsema	Rodgers	Slater
Small	Soorholtz	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	

Nays, 8:

Bruner	Carr	Drake	Gettings
Hester	Mann	Rife	Welsh

Absent or not voting, 3:

Lind

Schwengels

Taylor

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate Files 2257, 2286 and 2291** be immediately messaged to the House.

Senator Mann took the chair at 4:00 p.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2018.

Senate File 2018

On motion of Senator Deluhery, Senate File 2018, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—5171 filed by the committee on Judiciary on February 28, 1984, to page 1 of the bill.

Senator Deluhery asked and received unanimous consent to withdraw amendment S—5317 filed by Senators Deluhery and Mann on March 8, 1984, to amendment S—5171.

Senator Deluhery moved the adoption of amendment S—5171, which motion prevailed by a voice vote.

With the adoption of amendment S—5171, amendment S—5079 filed by Senator Deluhery on February 2, 1984, to pages 1 and 2 of the bill, was out of order.

Senator Deluhery asked and received unanimous consent that **House File 2465** be substituted for **Senate File 2018**.

House File 2465

On motion of Senator Deluhery, House File 2465, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that further action on **House File 2465** be deferred.

Senator Deluhery asked and received unanimous consent that **Senate File 2018** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order **Senate File 2251**.

Senate File 2251

On motion of Senator Horn, Senate File 2251, a bill for an act making changes in the practice act relating to physical therapy, was taken up for consideration.

Senator Carr offered amendment S—5359 filed by him on March 13, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5359 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that **House File 2211** be substituted for **Senate File 2251**.

House File 2211

On motion of Senator Horn, House File 2211, a bill for an act making changes in the practice act relating to physical therapy, was taken up for consideration.

Senator Horn asked and received unanimous consent that further action on **House File 2211** be deferred.

Senator Horn asked and received unanimous consent that **Senate File 2251** be withdrawn from further consideration of the Senate.

AMENDMENT WITHDRAWN

Senator Slater asked and received unanimous consent to withdraw amendment S—5362 filed by Senators Slater and Bruner on March 13, 1984, to amendment S—5342 to Senate File 2014.

MOTION TO RECONSIDER ADOPTED

Senator Gentleman called up the motion to reconsider **Senate File 2292** filed by her on March 8, 1984, found on page 749 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2292) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 1:

Tieden

Absent or not voting, 3:

Lind	Schwengels	Taylor
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The motion prevailed.

Senator Gentleman moved to reconsider the vote by which Senate File 2292 went to its last reading, which motion prevailed by a voice vote.

Senate File 2292

On motion of Senator Gentleman, Senate File 2292, a bill for an act relating to the definition of child abuse and the admissibility of certain tape recordings as evidence in child in need of assistance cases, was taken up for reconsideration.

Senator Gentleman offered amendment S—5388 filed by her on March 14, 1984, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5388 was adopted by a voice vote.

Senator Gentleman asked and received unanimous consent that House File 2302 be substituted for Senate File 2292.

House File 2302

On motion of Senator Gentleman, House File 2302, a bill for an act amending the definition of "child abuse" for purposes of reporting, investigation, and rehabilitation to include permitting a child to engage in prostitution and sexually exploiting a child in certain other ways, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on House File 2302 be deferred.

Senator Gentleman asked and received unanimous consent that Senate File 2292 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2231.

Senate File 2231

On motion of Senator Carr, Senate File 2231, a bill for an act relating to the findings of a complaint filed against a health care facility, was taken up for consideration.

Senator Carr offered amendment S—5319 filed by Senator Mann on March 8, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5319 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that House File 2340 be substituted for Senate File 2231.

House File 2340

On motion of Senator Carr, House File 2340, a bill for an act relating to the investigations and finding of a complaint filed against a health care facility, was taken up for consideration.

Senator Carr asked and received unanimous consent that further action on House File 2340 be deferred.

Senator Carr asked and received unanimous consent that Senate File 2231 be withdrawn from the Senate.

UNFINISHED BUSINESS (Deferred March 8, 1984)

Senate File 2270

The Senate resumed consideration of Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug, and amendment S—5281 by Senator Doyle to page 1 of the bill, deferred on March 8, 1984.

Senator Gallagher called for a division of amendment S—5281: lines 2 through 13, and 21 through 33 as division S—5281A; lines 14 through 20 as division S—5281B.

Senator Gallagher asked and received unanimous consent that further action on divisions S—5281A and S—5281B and Senate File 2270 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2249.

Senate File 2249

On motion of Senator Welsh, Senate File 2249, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations, was taken up for consideration.

Senator Welsh offered amendment S—5414 filed by him from the floor to pages 5 and 6 of the bill and moved its adoption.

Amendment S—5414 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that House File 2386 be substituted for Senate File 2249.

House File 2386

On motion of Senator Welsh, House File 2386, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations, was taken up for consideration.

Senator Welsh asked and received unanimous consent that further action on House File 2386 be deferred.

Senator Welsh asked and received unanimous consent that Senate File 2249 be withdrawn from further consideration of the Senate.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2308.

Senate File 2308

On motion of Senator Husak, Senate File 2308, a bill for an act permitting a financial institution to retain ownership of farmland for up to five years if the land is acquired by foreclosure of a mortgage, was taken up for consideration.

Senator Husak offered amendment S—5394 filed by him on March 14, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5394 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2308) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Schwengels	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.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2317.

Senate File 2317

On motion of Senator Van Gilst, Senate File 2317, a bill for an act relating to the purchase of Iowa coal by state and local government institutions, was taken up for consideration.

Senator Rife raised a point of order that Senate File 2317 be referred to the committee on Finance under Senate Rule 38.

The Chair ruled the point well taken and Senate File 2317 was referred to the committee on Finance under Senate Rule 38.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate File 2308 be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2259.

Senate File 2259

On motion of Senator Brown, Senate File 2259, a bill for an act relating to the day school shall commence for elementary and secondary schools each school year, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on Senate File 2259 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2314.

Senate File 2314

On motion of Senator Waldstein, Senate File 2314, a bill for an act relating to the authority of the department of water, air and waste management regarding the restoration, maintenance or improvement of a drainage district, was taken up for consideration.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2314) the vote was:

Ayes, 45:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Briles
Taylor

Jensen

Lind

Schwengels

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2306.

Senate File 2306

On motion of Senator Ritsema, Senate File 2306, a bill for an act authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2306) the vote was:

Ayes, 45:

Anderson
Coleman
Doyle
Gettings
Hester
Hulse
Jensen
Miller, A.V.
Priebe
Rodgers
Tieden
Wells

Brown
Colton
Drake
Goodwin
Holden
Hultman
Junkins
Miller, C.P.
Readinger
Slater
Vande Hoef

Bruner
Deluhery
Gallagher
Gratias
Holt
Husak
Kinley
Nystrom
Rife
Small
Van Gilst

Carr
Dieleman
Gentleman
Hall
Horn
Hutchins
Mann
Palmer
Ritsema
Soorholtz
Waldstein

Nays, none.

Absent or not voting, 5:

Briles
Welsh

Lind

Schwengels

Taylor

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2235.

Senate File 2235

On motion of Senator Doyle, Senate File 2235, a bill for an act relating to the penalties for operating a motor vehicle when the operator's license has been suspended or revoked, was taken up for consideration.

Senator Doyle offered amendment S—5308 filed by him on March 8, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5308 was adopted by a voice vote.

Senator Small offered amendment S—5312 filed by him on March 8, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5312 was adopted by a voice vote.

With the adoption of amendment S—5312, the Chair ruled amendment S—5184 filed by Senator Small on February 28, 1984, to page 1 of the bill, out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2235) the vote was:

Ayes, 42:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Mann	Miller, A. V.
Miller, C.P.	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, none.

Absent or not voting, 8:

Briles
Palmer

Kinley
Schwengels

Lind
Taylor

Nystrom
Welsh

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

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 406 on the part of the Senate: Senators Van Gilst, Chair; Gettings, Hall, Schwengels and Tieden.

President Anderson took the chair at 5:30 p.m.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2295.

Senate File 2295

On motion of Senator Anderson, Senate File 2295, a bill for an act prohibiting reductions in sick leave, vacation leave, or compensatory time entitlements while an employee is receiving weekly workers' compensation benefits, was taken up for consideration.

Senator Anderson withdrew amendment S—5255 filed by him on March 6, 1984, to page 1 of the bill.

Senator Anderson offered amendment S—5416 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5416 was adopted by a voice vote.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2295) the vote was:

Ayes, 42:

Anderson

Brown

Bruner

Carr

Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Mann	Miller, A.V.
Miller, C.P.	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, none.

Absent or not voting, 8:

Briles	Kinley	Lind	Nystrom
Palmer	Schwengels	Taylor	Welsh

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2099.

Senate File 2099

On motion of Senator Priebe, Senate File 2099, a bill for an act to require competitive bidding procedures for a project for renovation or remodeling of physical facilities used or to be used by the general assembly or legislative agencies under the jurisdiction of the legislative council where the cost of the project is twenty-five thousand dollars or more, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Slater offered amendment S—5118 filed by the committee on State Government on February 15, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5118 was adopted by a voice vote.

Senator Slater offered amendment S—5391 filed by Senators Slater, Bruner and Priebe on March 14, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5391 was adopted by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2099) the vote was:

Ayes, 41:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Mann	Miller, C.P.
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Briles	Kinley	Lind	Miller, A.V.
Nystrom	Palmer	Schwengels	Taylor
Welsh			

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 2099, 2235, 2295, 2306 and 2314 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 March 12, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2015, a bill for an act relating to the holding of games of skill, chance and raffles including bingo and providing penalties.

This bill was read first time and **passed on file**.

House File 2436, a bill for an act relating to the licensure and operation of a hospice program.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2478, a bill for an act relating to the administration of special assessments and other property tax laws.

This bill was 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 amendment S—5318 to Senate File 2294, the following technical correction was made:

1. Page 2, line 26, of the reprinted Senate File, "19" was changed to "18".

K. MARIE THAYER
Secretary of the Senate

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Thursday, March 15, 1984, when the final vote was taken on Senate File 2257.

Had I been present, I would have voted "aye" on this bill.

MILO COLTON

STUDY BILL RECEIVED

S.S.B. 2250 Ways and Means

Relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing a tax of one percent on gross investment income of insurance companies, and making certain provisions of the Act retroactive.

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate:

IOWA CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY

On March 15, 1984, received a copy of the Juvenile Restitution Program Progress report, pursuant to Chapter 232A of the Code Supplement.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 14, 1984, 11:07 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member and Hulse.

Members Absent: Mann (excused.)

Other Committee Business: Discussed amendments to proposed bill.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 14, 1984, 11:10 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: none.

Other Committee Business: Dr. Ed Stanek, Director of OPP presented budget information on Community Development Block Grants and Community Service Block Grants.

Adjourned: 11:50 a.m.

APPROPRIATIONS

Convened: March 14, 1984, 3:55 p.m.

Members Present: Small, Chair; Tieden, Ranking Member; Bruner, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Schwengels, Waldstein, Wells and Welsh.

Members Absent: Palmer, Vice Chair; Carr and Lind (excused.)

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:03 p.m.

NATURAL RESOURCES

Convened: March 14, 1984, 3:33 p.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Schwengels, Ranking Member; Goodwin, Hall, Hester and Priebe.

Members Absent: Doyle, Gettings and Rife.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:40 p.m.

STATE GOVERNMENT

Convened: March 15, 1984, 1:30 p.m.

Members Present: Slater, Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: Carr, Vice Chair (excused.)

Final Bill Action: SENATE FILE 2307, a bill for an act relating to creating a valuation review commission and providing for its powers and relating to the valuation of agricultural property for property tax purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 590, a bill for an act relating to the requirements that certain buildings be designed by registered architects.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 591, a bill for an act prohibiting the general assembly from passing any bill that uses gender as the basis for differential treatment.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Nystrom, Briles, Bruner, Coleman, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2454, a bill for an act relating to the filing of a list of unpaid obligations by state agencies with the state comptroller.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Slater, Nystrom, Briles, Bruner, Drake, Dieleman, Gettings, C. Miller, Rife, Schwengels and Soorholtz. Nays, 2: Coleman and Welsh. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2485, a bill for an act relating to the management of state government forms.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Slater, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 2:10 p.m.

PRESENTATION OF VISITORS

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

Sixty students from Leo High School, Holy Cross, Iowa, accompanied by John Kohlstedt. Senator Welsh.

The following visitors were present in the Senate gallery:

Fourteen students from Gilmore City Elementary School, Gilmore City, Iowa, accompanied by Darlene Hudak. Senator Priebe.

Fifty-three students of the Jones County 4-H program and the, Junior High School. Senator Hulse.

AMENDMENTS FILED

S-5401	S. F.	2291	Emil J. Husak Jack Rife
S-5402	S. F.	2274	Berl E. Priebe Dale L. Tieden Donald V. Doyle
S-5403	S. F.	2291	Bob Carr
S-5404	S. F.	2291	Bob Carr
S-5405	S. F.	2291	Bob Carr
S-5406	S. F.	2291	Edgar H. Holden
S-5407	H.F.	2338	Julia Gentleman
S-5408	S. F.	2270	Donald V. Doyle Wm. W. (Bill) Dieleman Tom Mann, Jr.
S-5409	S. F.	2291	Charles Bruner Jack Rife
S-5410	S. F.	2291	Douglas Ritsema
S-5411	S. F.	2291	Jack Rife Emil J. Husak
S-5412	H.F.	540	C.W. Bill Hutchins
S-5413	S. F.	2261	Edgar H. Holden
S-5414	S. F.	2249	Joe J. Welsh
S-5415	H.F.	2386	Hurley W. Hall
S-5416	S. F.	2295	Ted Anderson
S-5417	S. F.	2270	James V. Gallagher

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Friday, March 16, 1984.

JOURNAL OF THE SENATE

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SIXTY-EIGHTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 16, 1984

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

Prayer was offered by the Reverend Mark Urlaub, pastor of the St. Andrew Lutheran Church, Cedar Rapids, Iowa.

The Journal of Thursday, March 15, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lind, Holt, Readinger and Schwengels for the day on request of Senator Hultman.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2289

Senator Anderson withdrew the motion to reconsider Senate File 2289, a bill for an act relating to the involvement of the state in a world trade center, filed by him on March 14, 1984, and found on page 819 of the Senate Journal.

Senator Gallagher withdrew the motion to reconsider Senate File 2289, filed by him on March 14, 1984, and found on page 819 of the Senate Journal.

Senator Husak withdrew the motion to reconsider Senate File 2289, filed by him on March 14, 1984, and found on page 819 of the Senate Journal.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented on March 15, 1984:

March 15, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees as members of state boards and commissions:

To the Board of Accountancy pursuant to Section 116.3, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Cindy Den Adel, Des Moines, Polk County, Iowa, and Gaylon L. Halverson, Cedar Falls, Black Hawk County, Iowa.

To the Board of Architectural Examiners pursuant to Section 118.1, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Kenneth E. Carpenter, Ames, Story County, Iowa; Twyla J. Humpleby, Coralville, Johnson County, Iowa; and Bernard J. Keninger, Spencer, Clay County, Iowa.

James W. Wilkins, Des Moines, Polk County, Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

To the Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Robert S. Klopp, Cedar Rapids, Linn County, Iowa, and Mary M. Smith, Onawa, Monona County, Iowa.

Gene A. Schatz, Glenwood, Mills County, Iowa, to the City Development Board pursuant to Section 368.9, 1983 Code of Iowa, for a six-year term beginning May 1, 1984, and ending April 30, 1990.

To the City Finance Committee pursuant to Section 384.13, 1983 Code of Iowa, for four-year terms beginning May 1, 1984, and ending April 30, 1988:

Maree A. Hansen, Des Moines, Polk County, Iowa; Peter Hegeman, Spirit Lake, Dickinson County, Iowa; and Robert E. McMahan, Cedar Rapids, Linn County, Iowa.

Arlene H. Dayhoff, Cedar Rapids, Linn County, Iowa, to the Commission for the Blind pursuant to Section 601B.1, 1983 Code of Iowa, for a three-year term beginning May 1, 1984, and ending April 30, 1987.

To the Credit Union Review Board pursuant to Section 533.53, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

M. Aileen Brown, Des Moines, Polk County, Iowa, and James J. McCue, Cedar Rapids, Linn County, Iowa.

To the Energy Policy Council pursuant to Section 93.2, 1983 Code of Iowa, for four-year terms beginning May 1, 1984, and ending April 30, 1988:

Robert S. Hansen, Ames, Story County, Iowa; Delmar A. Nelson, Milford, Dickinson County, Iowa; and David T. Nelson, Decorah, Winneshiek County, Iowa.

Dean L. Frederickson, Harlan, Shelby County, Iowa, to the Iowa Beer and Liquor Control Council pursuant to Section 123.5, 1983 Code of Iowa, for a five-year term beginning May 1, 1984, and ending April 30, 1989.

Lillie Virginia Harper, Fort Madison, Lee County, Iowa, to the Iowa Board of Parole pursuant to Section 904.2, 1983 Code of Iowa, for a five-year term beginning May 1, 1984, and ending April 30, 1989.

To the Iowa Family Farm Development Authority pursuant to Section 175.3, 1983 Code of Iowa, for six-year terms beginning May 1, 1984, and ending April 30, 1990:

Steven A. Basler, Sharpsburg, Taylor County, Iowa; Sonja L. Larsen, Ottumwa, Wapello County, Iowa; and Diana L. Stadtmueller, Monticello, Jones County, Iowa.

Irving R. Burling, Waverly, Bremer County, Iowa, to the Iowa Higher Education Loan Authority pursuant to Section 261A.6, 1983 Code of Iowa, for six-year terms beginning May 1, 1984, and ending April 30, 1990.

Cloyd E. Robinson, Cedar Rapids, Linn County, Iowa, to the Iowa High Technology Council pursuant to Chapter 207, Section 35, Acts of the Seventieth General Assembly, for an unexpired term beginning immediately and ending April 30, 1985.

To the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1983 Code of Iowa, for four-year terms beginning May 1, 1984, and ending April 30, 1988:

Douglas W. Book, Forest City, Winnebago County, Iowa, and Connie A. White, Huxley, Story County, Iowa.

To the Iowa Railway Finance Authority pursuant to Section 307B.5, 1983 Code of Iowa, for six-year terms beginning May 1, 1984, and ending April 30, 1990:

Fred E. McKim, Jr., West Bend, Palo Alto County, Iowa, and O.R. Woods, Palo, Linn County, Iowa.

Kim D. Schmett, Des Moines, Polk County, Iowa, to the Job Service Appeal Board pursuant to Section 96.6(4), 1983 Code of Iowa, for a six-year term beginning May 1, 1984, and ending April 30, 1990.

To the Public Employment Relations Board pursuant to Section 20.5, 1983 Code of Iowa, for four-year terms beginning May 1, 1984, and ending April 30, 1988:

James A. McClimon, Altoona, Polk County, Iowa, and Peter L. Pashler, Des Moines, Polk County, Iowa.

To the State Board of Barber Examiners pursuant to Section 147.14(1), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Carroll W. Anderson, Waterloo, Black Hawk County, Iowa, and Karen J. Kearney, Des Moines, Polk County, Iowa.

To the State Board of Chiropractic Examiners pursuant to Section 147.14(8), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Martha L. Leibhart, Albia, Monroe County, Iowa; Kenneth G. Pride, Humboldt, Humboldt County, Iowa; and Milton F. Schlein, Postville, Clayton County, Iowa.

To the State Board of Cosmetology Examiners pursuant to Section 147.14(1), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

James H. O'Neill, Pocahontas, Pocahontas County, Iowa, and Margaret A. Turk, Creston, Union County, Iowa.

To the State Board of Dental Examiners pursuant to Section 147.14(4), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Pamela E. DeMoss, Hampton, Franklin County, Iowa; Carmen S. Miller, Des Moines, Polk County, Iowa; and Dawn C. Roberts, Des Moines, Polk County, Iowa.

To the State Board of Engineering Examiners pursuant to Section 114.3, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Gary D. Darland, Charles City, Floyd County, Iowa; Charles E. Hales, Council Bluffs, Pottawattamie County, Iowa; and Virginia E. Ruark, Oelwein, Fayette County, Iowa.

To the State Board of Medical Examiners pursuant to Section 147.14(2), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Marian C. Bourek, Farley, Dubuque County, Iowa; Richard L. Carruthers, Walcott, Scott County, Iowa; and Reid E. Motley, Cedar Rapids, Linn County, Iowa.

To the State Board of Public Instruction pursuant to Section 257.1, 1983 Code of Iowa, for six-year terms beginning May 1, 1984, and ending April 30, 1990:

Wesley S. Chapman, Des Moines, Polk County, Iowa; Stephen C. Gerard, Sigourney, Keokuk County, Iowa; and Karen K. Goodenow, Wall Lake, Sac County, Iowa.

To the State Historical Board pursuant to Section 303.1, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Dale R. Henning, Decorah, Winneshiek County, Iowa, and Nance A. McMinimee, Denison, Crawford County, Iowa.

To the State Racing Commission pursuant to Chapter 187, Section 5, Acts of the Seventieth General Assembly, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Lavonne Mydland, Rock Rapids, Lyon County, Iowa, and Steve Sovern, Marion, Linn County, Iowa.

To the State Transportation Commission pursuant to Section 307.3, 1983 Code of Iowa, for four-year terms beginning May 1, 1984, and ending April 30, 1988:

Molly A. Scott, Spencer, Clay County, Iowa, and Delmar VanHorn, Jefferson, Greene County, Iowa.

Pursuant to Section 2.32(4), 1983 Code of Iowa, I submit the deferral of the Board of Landscape Architectural Examiners, Board of Certification of Waterworks and Waste Waterworks Operators, and one licensed member of the State Board of Pharmacy Examiners.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

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 March 14, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2098, a bill for an act relating to locations where nonresident fur dealers may conduct business.

House File 2428, a bill for an act relating to mortgage redemption periods.

House File 2474, a bill for an act relating to the form of probate inventory.

House File 2492, a bill for an act relating to agricultural limestone fees.

House File 2497, a bill for an act relating to the appointment of the commerce commission as a receiver and its duties and powers.

ALSO: That the House has on March 15, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2463, a bill for an act relating to the priority of construction mortgage liens.

The foregoing bills were read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Mann presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

President Anderson took the chair at 9:55 a.m.

CONSIDERATION OF BILLS (Noncontroversial Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2233.

Senate File 2233

On motion of Senator Holden, Senate File 2233, a bill for an act providing for the transfer of fiduciary accounts among affiliates and between independent banks, was taken up for consideration.

Senator Holden offered amendment S—5188 filed by Senators Deluhery and Holden on February 29, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5188 was adopted by a voice vote.

Senator Holden offered amendment S—5186 filed by him on February 29, 1984, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5186 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2233) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Rife	Ritsema	Rodgers	Slater
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Holt	Lind	Readerger
Schwengels	Small		

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2240.

Senate File 2240

On motion of Senator Miller of Des Moines, Senate File 2240, a bill for an act relating to the certification and regulation of

respiratory care practitioners and providing a penalty and an effective date, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5396 filed by him on March 14, 1984, to pages 2 and 8 of the bill and moved its adoption.

Amendment S—5396 was adopted by a voice vote.

Senator Gentleman offered amendment S—5337 filed by her on March 12, 1984, to pages 2 and 3 and 13 through 15 of the bill and moved its adoption.

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 22.

Amendment S—5337 was adopted.

Senator Holden offered amendment S—5323 filed by him on March 9, 1984, to page 6 of the bill and moved its adoption.

Amendment S—5323 was adopted by a voice vote.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2240) the vote was:

Ayes, 23:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Doyle	Gallagher
Gettings	Hall	Horn	Junkins
Kinley	Mann	Miller, A.V.	Palmer
Rife	Slater	Small	Tieden
Van Gilst	Wells	Welsh	

Nays, 22:

Briles	Coleman	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Miller, C.P.	Nystrom

Priebe
Taylor

Ritsema
Vande Hoef

Rodgers

Soorholtz

Absent or not voting, 5:

Holt
Waldstein

Lind

Readinger

Schwengels

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 2240 failed to pass the Senate on March 16, 1984.

CHARLES P. MILLER

CONSIDERATION OF BILLS (Noncontroversial Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2223.

Senate File 2223

On motion of Senator Mann, Senate File 2223, a bill for an act relating to the maximum fine assessable upon the conviction of a class "C" and class "D" felony, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2223) the vote was:

Ayes, 42:

Anderson
Carr
Dieleman
Gentleman
Hall
Hulse
Junkins
Nystrom

Briles
Coleman
Doyle
Gettings
Hester
Husak
Kinley
Palmer

Brown
Colton
Drake
Goodwin
Holden
Hutchins
Mann
Priebe

Bruner
Deluhery
Gallagher
Gratias
Horn
Jensen
Miller, A.V.
Rife

Ritsema
Soorholtz
Van Gilst

Rodgers
Taylor
Wells

Slater
Tieden

Small
Vande Hoef

Nays, none.

Absent or not voting, 8:

Holt
Readinger

Hultman
Schwengels

Lind
Waldstein

Miller, C.P.
Welsh

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 2223 and 2233 be immediately messaged to the House.

CONSIDERATION OF BILLS (Noncontroversial Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2280.

Senate File 2280

On motion of Senator Nystrom, Senate File 2280, a bill for an act relating to the competitive bidding procedures of the department of general services, was taken up for consideration.

Senator Nystrom offered amendment S—5293 filed by Senator Readinger on March 7, 1984, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5293 was adopted by a voice vote.

Senator Nystrom offered amendment S—5344 filed by Senators Small and Nystrom on March 12, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5344 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2280) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Horn	Hulse	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 1:

Dieleman

Absent or not voting, 7:

Gallagher	Holt	Hultman	Lind
Readinger	Schwengels	Tieden	

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2277.

Senate File 2277

On motion of Senator Slater, Senate File 2277, a bill for an act relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or optometric corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses, was taken up for consideration.

Senator Slater offered amendment S—5304 filed by him on March 8, 1984, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5304 was adopted by a voice vote.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2277) the vote was:

Ayes, 43:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Gratias	Hall
Hester	Holden	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Goodwin	Holt	Hultman	Lind
Reader	Schwengels	Tieden	

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2309.

Senate File 2309

On motion of Senator Miller of Des Moines, Senate File 2309, a bill for an act relating to the educational requirements of registered professional engineers and registered land surveyors, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5300 filed by him on March 8, 1984, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5300 was adopted by a voice vote.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2309) the vote was:

Ayes, 22:

Anderson	Briles	Bruner	Carr
Colton	Dieleman	Doyle	Drake
Gallagher	Gettings	Hall	Horn
Junkins	Mann	Miller, A.V.	Nystrom
Rife	Slater	Small	Van Gilst
Wells	Welsh		

Nays, 24:

Brown	Coleman	Deluhery	Gentleman
Goodwin	Gratias	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, C.P.	Palmer
Priebe	Ritsema	Rodgers	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 4:

Holt	Lind	Readerger	Schwengels
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The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senate File 2310

On motion of Senator Nystrom, Senate File 2310, a bill for an act relating to payments to state employees for accrued sick leave and disability, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2310) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery

Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A. V.
Miller, C. P.	Nystrom	Palmer	Priebe
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Holden	Holt	Lind	Readerger
Schwengels	Tieden		

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 Waldstein for the remainder of the day on request of Senator Hultman.

CONSIDERATION OF BILLS (Noncontroversial Calendar)

Senate File 2312

On motion of Senator Nystrom, Senate File 2312, a bill for an act relating to the deposit of interest earnings in designated employee insurance funds, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2312) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Cart	Coleman	Colton	DeJuhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall

Hester	Holden	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Drake	Holt	Lind	Readerger
Schwengels	Waldstein		

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

Senate File 2276

On motion of Senator Miller of Des Moines, Senate File 2276, a bill for an act relating to the state board of engineering examiners, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5301 filed by him on March 8, 1984, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5301 was adopted by a voice vote.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2276) the vote was:

Ayes, 33:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Hall	Hester	Horn	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Rife	Rodgers	Slater	Small
Soorholtz	Tieden	Van Gilst	Wells
Welsh			

Nays, 11:

Coleman	Gentleman	Goodwin	Gratias
Holden	Hulse	Hultman	Jensen
Ritsema	Taylor	Vande Hoef	

Absent or not voting, 6:

Holt	Lind	Palmer	Readinger
Schwengels	Waldstein		

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate Files 2276, 2277, 2280, 2310 and 2312** be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order **Senate File 2305**.

Senate File 2305

On motion of Senator Dieleman, **Senate File 2305**, a bill for an act relating to mortgage redemption periods, was taken up for consideration.

Senator Dieleman offered amendment S—5423 filed by him on March 16, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5423 was adopted by a voice vote.

Senator Dieleman asked and received unanimous consent that **House File 2428** be substituted for **Senate File 2305**.

House File 2428

On motion of Senator Dieleman, **House File 2428**, a bill for an act relating to mortgage redemption periods, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that further action on **House File 2428** be deferred.

WITHDRAWN

Senator Dieleman asked and received unanimous consent that **Senate File 2305** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 8, 1984)

Senate File 2206

The Senate resumed consideration of **Senate File 2206**, a bill for an act relating to the safety and security of passengers on buses and in bus terminals, by establishing criminal offenses and providing penalties, deferred on March 8, 1984.

Senator Mann offered amendment S—5380 filed by him on March 13, 1984, to page 3 of the bill and moved its adoption.

Amendment S—5380 was adopted by a voice vote.

With the adoption of amendment S—5380, the Chair ruled amendment S—5372 filed by Senator Slater on March 13, 1984, to page 3 of the bill, out of order.

Senator Mann withdrew amendment S—5321 filed by him on March 9, 1984, to page 3 of the bill.

Senator Ritsema offered amendment S—5316 filed by him on March 8, 1984, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5316 was adopted by a voice vote.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2206) the vote was:

Ayes, 39:

Anderson
Carr

Briles
Coleman

Brown
Colton

Bruner
Deluher

Dieleman	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Horn	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Welsh	

Nays, none.

Absent or not voting, 11:

Doyle	Drake	Gallagher	Holt
Jensen	Lind	Nystrom	Readinger
Schwengels	Waldstein	Wells	

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

Senator Junkins asked and received unanimous consent that **Senate File 2206** be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred March 15, 1984)

Senate File 2270

The Senate resumed consideration of Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug, and divisions S—5281A and S—5281B by Senator Doyle to page 1 of the bill, deferred on March 15, 1984.

Senator Mann offered amendment S—5310 filed by him on March 8, 1984, to page 1 of the bill.

Senator Doyle offered amendment S—5408 filed by Senators Doyle, Dieleman and Mann on March 15, 1984, to amendment S—5310 and moved its adoption.

Amendment S—5408 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—5310 as amended, which motion prevailed by a voice vote.

The Senate resumed consideration of division S—5281A to page 1 of the bill, deferred on March 15, 1984.

Senator Gallagher offered amendment S—5417 filed by him on March 15, 1984, to division S—5281A.

Senator Doyle raised the point of order that amendment S—5417 was not germane.

The Chair ruled the point well taken and amendment S—5417 out of order.

Senator Doyle moved the adoption of division S—5281A, which motion prevailed by a voice vote.

Senator Doyle moved the adoption of division S—5281B, which motion prevailed by a voice vote.

With the adoption of division S—5281A, the Chair ruled amendment S—5307 filed by Senator Gallagher on March 8, 1984, to page 1 of the bill, out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2270) the vote was:

Ayés, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Holt	Lind	Readinger	Schwengels
Waldstein			

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 2270 passed the Senate on March 16, 1984.

JAMES V. GALLAGHER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2270 passed the Senate on March 16, 1984.

DONALD V. DOYLE

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the day on request of Senator Junkins.

UNFINISHED BUSINESS (Deferred March 15, 1984)

Senate File 2259

The Senate resumed consideration of Senate File 2259, a bill for an act relating to the day school shall commence for elementary and secondary schools each school year, deferred on March 15, 1984.

Senator Gentleman offered amendment S—5426 filed by her from the floor to page 1 and to the title page of the bill.

Senator Brown raised the point of order that amendment S—5426 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5426 out of order.

Senator Jensen withdrew amendment S—5425 filed by him from the floor to page 1 of the bill.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2259) the vote was:

Ayes, 27:

Anderson	Brown	Bruner	Carr
Colton	Dieleman	Doyle	Gallagher
Gettings	Hester	Holden	Horn
Husak	Jensen	Kinley	Mann
Miller, C.P.	Nystrom	Palmer	Rife
Rodgers	Slater	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, 16:

Briles	Deluhery	Gentleman	Goodwin
Gratias	Hall	Hulse	Hultman
Hutchins	Junkins	Miller, A.V.	Priebe
Ritsema	Small	Tieden	Van Gilst

Absent or not voting, 7:

Coleman	Drake	Holt	Lind
Readinger	Schwengels	Waldstein	

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 2259 passed the Senate on March 16, 1984.

JOHN W. JENSEN

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2098.

Senate File 2098

On motion of Senator Deluhery, Senate File 2098, a bill for an act relating to the liability for torts committed by offenders assigned to perform unpaid community service, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman took the chair at 12:30 p.m.

Senator Gentleman offered amendment S—5257 filed by her on March 6, 1984, to strike everything after the enacting clause of the bill.

Senator Mann raised the point of order that amendment S—5257 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5257 in order.

Senator Mann withdrew amendment S—5430 filed by him from the floor to amendment S—5257.

Senator Gentleman moved the adoption of amendment S—5257.

A non record roll call was requested.

The ayes were 15, nays 23.

Amendment S—5257 lost.

Senator Doyle offered amendment S—5199 filed by the committee on Judiciary on March 1, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5199 was adopted by a voice vote.

Senator Deluhery offered amendment S—5194 filed by him on March 1, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5194 was adopted by a voice vote.

Senator Mann offered amendment S—5421 filed by him from the floor to page 1 of the bill.

Senator Drake raised the point of order that amendment S—5421 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5421 out of order.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2098) the vote was:

Ayes, 32:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Horn
Hulse	Husak	Hutchins	Junkins
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Ritsema	Rodgers	Small
Taylor	Van Gilst	Wells	Welsh

Nays, 4:

Drake	Rife	Soorholtz	Tieden
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Absent or not voting, 14:

Coleman	Gallagher	Gratias	Holt
Hultman	Jensen	Kinley	Lind
Nystrom	Readinger	Schwengels	Slater
Vande Hoef	Waldstein		

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

UNFINISHED BUSINESS

(Deferred March 8, 1984)

Senate File 2217

The Senate resumed consideration of Senate File 2217, a bill for an act establishing uniform enforcement remedies for the department of water, air and waste management, and imposing civil penalties, amendments S—5273 and S—5299 to strike everything after the enacting clause of the bill and amendment S—5313 to amendment S—5299, deferred on March 8, 1984.

Senator Holden asked and received unanimous consent to withdraw amendment S—5313 to amendment S—5299.

Senator Holden offered amendment S—5374 filed by him on March 13, 1984, to amendment S—5299 and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 20.

Amendment S—5374 lost.

Senator Rodgers moved the adoption of amendment S—5299, which motion prevailed by a voice vote.

With the adoption of amendment S—5299, the Chair ruled amendment S—5273, deferred on March 8, 1983, out of order.

Senator Rodgers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2217) the vote was:

Ayes, 30:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Horn
Husak	Junkins	Miller, A.V.	Palmer
Priebe	Rife	Ritsema	Rodgers
Small	Soorholtz	Tieden	Van Gilst
Wells	Welsh		

Nays, 6:

Briles	Hulse	Hultman	Hutchins
Miller, C.P.	Taylor		

Absent or not voting, 14:

Coleman	Gallagher	Gratias	Holt
Jensen	Kinley	Lind	Mann
Nystrom	Readinger	Schwengels	Slater
Vande Hoef	Waldstein		

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate File 2098 be immediately messaged to the House.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2217 passed the Senate on March 16, 1984.

EDGAR H. HOLDEN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2217 passed the Senate on March 16, 1984.

NORMAN G. RODGERS

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 March 16, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2499, a bill for an act to suspend the Iowa dairy industry commission during the effective period of a national promotional order established pursuant to the 1983 dairy Act.

This bill was read first time and passed on file.

ALSO: That the conference committee on House File 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles, appointed March 16, 1984 are: The Representative from Jasper, Mr. Black, Chair; the Representative from Van Buren, Mr. Sullivan, the Representative from Jackson, Mr. Tabor, the Representative from Black Hawk, Mr. Diemer, and the Representative from Winneshiek, Mr. Tofte.

INTRODUCTION OF BILLS

Senate File 2327, by Committee on Ways and Means, a bill for an act relating to what constitutes discounts on transactions occurring between January 1, 1978 and July 1, 1984 involving farm equipment and related products for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect.

Read first time and placed on the Ways and Means Calendar.

Senate File 2328, by Committee on Ways and Means, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system.

Read first time and placed on the Ways and Means Calendar.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 2046

Appropriations
Dieleman, Chair
Welsh
Waldstein

SENATE FILE 2157

Appropriations
Bruner, Chair
Welsh
Holt

SENATE FILE 2201

Appropriations
Small, Chair
Tieden,
Palmer

SENATE FILE 2258

Appropriations
Small, Chair
Palmer
Tieden

SENATE FILE 2282

Ways and Means
Dieleman, Chair
Van Gilst
Rodgers
Holden
Readinger

SENATE FILE 2307

State Government
Coleman, Chair
Dieleman
Rife

SENATE CONCURRENT
RESOLUTION 107

Rules and Administration
Hutchins, Chair
Hultman
Junkins

SENATE FILE 2123

Appropriations
Tieden, Chair
Palmer
Small

SENATE FILE 2200

Natural Resources
Priebe, Chair
Hall
Hester

SENATE FILE 2256

Appropriations
Waldstein, Chair
Holt
Welsh

SENATE FILE 2279

Commerce
Bruner, Chair
Priebe
Nystrom

SENATE FILE 2293

State Government
Bruner, Chair
Slater
Soorholtz

SENATE FILE 2322

Ways and Means
Deluhery, Chair
Small
Holt

HOUSE FILE 434

Local Government
A. Miller, Chair
Wells
Goodwin

HOUSE FILE 405

State Government
C. Miller, Chair
Slater
Carr
Briles
Drake

HOUSE FILE 558

Human Resources
Soorholtz, Chair
C. Miller
Gratias

HOUSE FILE 591

State Government
Slater, Chair
Carr
Schwengels

HOUSE FILE 2043

Local Government
Wells, Chair
Waldstein
Brown

HOUSE FILE 2100

Natural Resources
Hall, Chair
Goodwin
Hester

HOUSE FILE 2111

Local Government
A. Miller, Chair
Wells
Waldstein

HOUSE FILE 2187

Local Government
C. Miller, Chair
Brown
Vande Hoef

HOUSE FILE 2219

State Government
Slater, Chair
Drake
Welsh

HOUSE FILE 446

Appropriations
Hall, Chair
Tieden
Schwengels

HOUSE FILE 573

Judiciary
Holt, Chair
Drake
Deluhery

HOUSE FILE 653

Appropriations
Small, Chair
Palmer
Tieden

HOUSE FILE 2048

Natural Resources
Gettings, Chair
Hall
Rife

HOUSE FILE 2107

Human Resources
Carr, Chair
Hall
Coleman

HOUSE FILE 2136

State Government
Welsh, Chair
Dieleman
Nystrom

HOUSE FILE 2217

Education
Horn, Chair
Brown
Ritsema

HOUSE FILE 2221

Transportation
Doyle, Chair
Priebe
Jensen

HOUSE FILE 2234

Commerce
Nystrom, Chair
Gallagher
Jensen

HOUSE FILE 2267

Judiciary
Mann, Chair
Ritsema
Small

HOUSE FILE 2274

Natural Resources
Priebe, Chair
Schwengels
Rife

HOUSE FILE 2301

State Government
Rife, Chair
Coleman
Briles

HOUSE FILE 2310

Transportation
Nystrom, Chair
Lind
Hall

HOUSE FILE 2345

Judiciary
Deluhery, Chair
Horn
Holt

HOUSE FILE 2351

Judiciary
Mann, Chair
Gentleman
Ritsema

HOUSE FILE 2371

Judiciary
Mann, Chair
Small
Ritsema

HOUSE FILE 2247

Local Government
A. Miller, Chair
Brown
Vande Hoef

HOUSE FILE 2272

Transportation
Drake, Chair
Priebe
Hall

HOUSE FILE 2284

State Government
Bruner, Chair
Slater
Nystrom

HOUSE FILE 2306

Natural Resources
Goodwin, Chair
Doyle
Priebe

HOUSE FILE 2323

Agriculture
Waldstein, Chair
Husak
Priebe

HOUSE FILE 2348

Judiciary
Mann, Chair
Doyle
Gentleman

HOUSE FILE 2352

Judiciary
Mann, Chair
Small
Ritsema

HOUSE FILE 2372

Judiciary
Ritsema, Chair
Small
Mann

HOUSE FILE 2373

Judiciary
Gentleman, Chair
Mann
Horn

HOUSE FILE 2375

Human Resources
Carr, Chair
Mann
Gentleman

HOUSE FILE 2377

Judiciary
Gentleman, Chair
Deluhery
Horn

HOUSE FILE 2379

Human Resources
Horn, Chair
Slater
Ritsema

HOUSE FILE 2385

Agriculture
Taylor, Chair
Van Gilst
Gallagher

HOUSE FILE 2390

Appropriations
Holt, Chair
Welsh
Waldstein

HOUSE FILE 2393

Energy
Colton, Chair
Rife
Tieden

HOUSE FILE 2397

Judiciary
Gentleman, Chair
Mann
Horn

HOUSE FILE 2374

Commerce
Palmer, Chair
Bruner
Tieden

HOUSE FILE 2376

Transportation
Hall, Chair
Jensen
Nystrom

HOUSE FILE 2378

Judiciary
Ritsema, Chair
Doyle
Mann

HOUSE FILE 2380

Judiciary
Gentleman, Chair
Ritsema
Welsh

HOUSE FILE 2389

Local Government
Wells, Chair
Colton
Vande Hoef

HOUSE FILE 2391

Agriculture
Hutchins, Chair
Taylor
Van Gilst

HOUSE FILE 2396

Judiciary
Horn, Chair
Drake
Mann

HOUSE FILE 2400

Judiciary
Mann, Chair
Ritsema
Small

HOUSE FILE 2401

Natural Resources
Hall, Chair
Priebe
Goodwin

HOUSE FILE 2408

Commerce
Palmer, Chair
Priebe
Jensen

HOUSE FILE 2411

Judiciary
Gentleman, Chair
Mann
Small

HOUSE FILE 2417

Judiciary
Horn, Chair
Mann
Doyle

HOUSE FILE 2424

Judiciary
Holt, Chair
Gentleman
Dieleman

HOUSE FILE 2426

Energy
Gallagher, Chair
Bruner
Hulse

HOUSE FILE 2431

Judiciary
Mann, Chair
Gentleman
Doyle

HOUSE FILE 2439

Judiciary
Mann, Chair
Dieleman
Welsh

HOUSE FILE 2452

Judiciary
Ritsema, Chair
Mann
Small

HOUSE FILE 2404

Commerce
Bruner, Chair
Gallagher
Tieden

HOUSE FILE 2409

Commerce
Bruner, Chair
Jensen
Tieden

HOUSE FILE 2414

Commerce
Holden, Chair
Deluhery
Tieden

HOUSE FILE 2423

Judiciary
Gentleman, Chair
Mann
Small

HOUSE FILE 2425

Judiciary
Goodwin, Chair
Coleman
Dieleman

HOUSE FILE 2430

Human Resources
Slater, Chair
Coleman
Briles

HOUSE FILE 2432

Transportation
Drake, Chair
Welsh
A. Miller

HOUSE FILE 2440

State Government
Carr, Chair
Gettings
Soorholtz

HOUSE FILE 2454

State Government
Nystrom, Chair
Drake
Gettings

HOUSE FILE 2465

Judiciary
Gentleman, Chair
Mann
Doyle

HOUSE FILE 2469

Judiciary
Gentleman, Chair
Mann
Doyle

HOUSE FILE 2488

Judiciary
Gentleman, Chair
Ritsema
Horn

SSB 2249

Appropriations
Bruner, Chair
Hall
Tieden

HOUSE FILE 2467

Judiciary
Mann, Chair
Gentleman
Small

HOUSE FILE 2485

State Government
Bruner, Chair
Slater
Rife

SSB 2248

Ways and Means
Deluhery, Chair
Small
Gratias

**FURTHER
REPORT OF COMMITTEE MEETING**

STATE GOVERNMENT*

*A previous report of this meeting was recorded on pages 851-852 of the Senate Journal.

Final Bill Action: SENATE FILE 2293, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5420.

Final Vote: Ayes, 13: Slater, Nystrom, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2015	State Government
H.F.	2098	Natural Resources
H.F.	2392	Judiciary
H.F.	2415	Commerce
H.F.	2463	Judiciary
H.F.	2472	State Government
H.F.	2474	Judiciary
H.F.	2478	Local Government
H.F.	2486	Judiciary
H.F.	2492	Agriculture
H.F.	2499	Agriculture

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2295, the following technical correction to the original Senate File was made:

1. Page 1, line 3, "PHOHIBITION" was changed to "PROHIBITION".

K. MARIE THAYER
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 16, 1984, the Governor approved and transmitted to the Secretary of the State the following bill:

S.F. 2089—Requiring children under the age of six being transported in certain motor vehicles to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective date.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2259 passed the Senate on March 16, 1984.

JOE BROWN

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 15, 1984, 11:25 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair and Mann.

Members Absent: Hulse and Gentleman, Ranking Member (excused.)

Other Committee Business: Discussed amendments to proposed bill.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 15, 1984, 11:25 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Discussed budget.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 15, 1984, 11:30 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: Deluhery.

Other Committee Business: Reviewed proposed 1985 budget.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND LAW ENFORCEMENT

Convened: March 14, 1984, 11:05 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: Discussed proposed Transportation & Law Enforcement Appropriations subcommittee bill.

Adjourned: 11:35 a.m.

COMMERCE

Convened: March 16, 1984, 8:06 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery (arrived 8:30 a.m.), Gallagher, Holden, Nystrom and Tieden.

Members Absent: Palmer.

Final Bill Action: SENATE FILE 2255, a bill for an act permitting a state bank, state savings and loan association, or a service corporation of a state bank or state savings and loan association to engage in real estate brokerage only to the same extent as federally-chartered banks and savings and loan associations.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Kinley, Priebe, Jensen, Bruner, Gallagher and Nystrom. Nays, 2: Holden and Tieden. Absent or not voting, 2: Deluhery and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2404, a bill for an act relating to the definition of telephone companies not generally subject to rate regulation.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Priebe, Jensen, Bruner, Gallagher, Holden, Nystrom and Tieden. Nays, none. Absent or not voting, 2: Deluhery and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; House File 2414 was discussed and deferred.

Adjourned: 8:41 a.m.

FINANCE

Convened: March 16, 1984, 1:25 p.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Holden, Junkins, Small and Tieden.

Members Absent: none.

Final Bill Action: SENATE FILE 2275, a bill for an act relating to the Iowa housing finance authority by establishing a health care equipment financing program for the purpose of issuing bonds to assist health care providers in obtaining and financing health care equipment and changing the name of the authority.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Rodgers, Hutchins, Hultman, Junkins, Small and Tieden. Nays, 1: Holden. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2296, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Rodgers, Hutchins, Hultman, Junkins, Small and Tieden. Nays, 1: Holden. Absent or not voting, 1: Palmer

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2317, a bill for an act relating to the purchase of Iowa coal by state and local government institutions.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Rodgers, Hutchins, Hultman, Junkins, Small and Tieden. Nays, 1: Holden. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2421, a bill for an act relating to the collection, transportation, storage, and disposal of solid waste.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Rodgers, Hutchins, Hultman, Junkins, Small and Tieden. Nays, none. Voting present, 1: Holden. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:30 p.m.

LOCAL GOVERNMENT

Convened: March 16, 1984, 8:00 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown (arrived 8:15 a.m.), Goodwin, C. Miller, Vande Hoef and Waldstein.

Members Absent: Colton and Mann.

Final Bill Action: HOUSE FILE 434, a bill for an act authorizing cities to enter agreements to jointly invest public funds.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5429.

Final Vote: Ayes, 7: A. Miller, Wells, Briles, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Brown, Colton and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2043, a bill for an act relating to the reporting of property owned by a city utility.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Wells, Briles, Brown, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Colton and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2111, a bill for an act authorizing cities to issue revenue bonds or pledge orders to refund general obligation bonds if they were issued or the proceeds were expended for certain city projects.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Wells, Briles, Brown, Goodwin, C. Miller and Vande Hoef. Nays, none. Voting present: 1: Waldstein. Absent or not voting 2: Colton and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2389, a bill for an act relating to the interest of an elected city officer or employee in contracts for the purchase of goods and services by a city.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5428.

Final Vote: Ayes, 8: A. Miller, Wells, Briles, Brown, Goodwin, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Colton and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; discussed and deferred House File 2279.

Adjourned: 8:36 a.m.

WAYS AND MEANS

Convened: March 14, 1984, 1:40 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member (arrived 1:45 p.m.), Brown, Carr, Deluhery (arrived 2:10 p.m.), Dieleman, Grattias, Holt, Readinger, Rodgers, Small (arrived 1:45 p.m.) and Soorholtz.

Members Absent: Hester and Van Gilst.

Final Bill Action: SENATE FILE 2327, a bill for an act relating to what constitutes discounts on transactions involving farm equipment and related products for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Holden, Brown, Carr, Deluhery, Dieleman, Grattias, Holt, Readinger, Small and Soorholtz. Nays, none. Absent or not voting, 3: Hester, Rodgers and Van Gilst.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2328, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Carr, Deluhery, Gratiyas, Holt, Readinger, Rodgers, Small and Soorholtz. Nays, 3: Holden, Brown and Dieleman. Absent or not voting, 2: Hester and Van Gilst.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 2:20 p.m.

PRESENTATION OF VISITORS

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

Forty students from Corwith-Wesley, Lu Verne Middle School, Lu Verne, Iowa, accompanied by Dennis E. Holmes. Senator Priebe.

AMENDMENTS FILED

S-5418	S. F.	2297	John W. Jensen
S-5419	S. F.	2297	John W. Jensen
S-5420	S. F.	2293	State Government
S-5421	S. F.	2098	Tom Mann, Jr.
S-5422	S. F.	2278	Charles Bruner
S-5423	S. F.	2305	Wm. W. (Bill) Dieleman
S-5424	S. F.	2274	John N. Nystrom
S-5425	S. F.	2259	John W. Jensen
S-5426	S. F.	2259	Julia Gentleman
S-5427	S. F.	2014	Tom Slater
			Charles Bruner
S-5428	H.F.	2389	Local Government
S-5429	H.F.	434	Local Government
S-5430	S. F.	2098	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 1:21 p.m., until 10:00 a.m., Monday, March 19, 1984.

JOURNAL OF THE SENATE

895

SEVENTY-FIRST CALENDAR DAY FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 19, 1984

The Senate met in regular session at 10:08 a.m., President Anderson presiding.

Prayer was offered by the Honorable Wm. W. (Bill) Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Friday, March 16, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Carr for the day and Senator Coleman for a short time on request of Senator Junkins.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented on March 15, 1984:

March 15, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees as members of state boards and commissions:

To the Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Murray D. Berggren, Buffalo Center, Winnebago County, Iowa, and Phyllis E. Crouse, Ames, Story County, Iowa.

Donna R. Robinson, Des Moines, Polk County, Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Robert D. Hoogeveen, Sheldon, O'Brien County, Iowa; Mary L. Leonard, Iowa City, Johnson County, Iowa; Mildred K. Lloyd, Gifford, Hardin County, Iowa; Phyllis K. Osborn, Carroll, Carroll County, Iowa; and Phyllis J. Priest, Diagonal, Ringgold County, Iowa.

Andrea Van Beek, Orange City, Sioux County, Iowa, to the Occupational Safety and Health Review Commission pursuant to Section 88.10, 1983 Code of Iowa, for a six-year term beginning May 1, 1984, and ending April 30, 1990.

To the State Board of Mortuary Science Examiners pursuant to Section 147.14(1), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Alvin E. Bremer, Mason City, Cerro Gordo County, Iowa, and Cornelia V. Hoy, Adel, Dallas County, Iowa.

To the State Board of Nursing Examiners pursuant to Section 147.14(3), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Edna D. Eaton, Sidney, Fremont County, Iowa; Elizabeth H. Kinney, Waterloo, Black Hawk County, Iowa; and Cecilia M. Zenti, Des Moines, Polk County, Iowa.

To the State Board of Optometry Examiners pursuant to Section 147.14(6), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

John A. Gazaway, Eagle Grove, Wright County, Iowa; Sophie H. Gonzales, Des Moines, Polk County, Iowa; and Robert B. Tuberty, Mount Vernon, Linn County, Iowa.

To the State Board of Pharmacy Examiners pursuant to Section 147.14(5), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Gale W. Stapp, Oskaloosa, Mahaska County, Iowa, and Margo L. Underwood, Clinton, Clinton County, Iowa.

To the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.14(10), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Lois G. Campbell, Ankeny, Polk County, Iowa; Roger G. Egland, Storm Lake, Buena Vista County, Iowa; and Carol N. Meindl, Creston, Union County, Iowa.

To the State Board of Podiatry Examiners pursuant to Section 147.14(1), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

James D. Heddens, Marshalltown, Marshall County, Iowa, and Marjorie E. Rodgers, Indianola, Warren County, Iowa.

To the State Board of Psychology Examiners pursuant to Section 147.14(7), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Darrell Dierks, Cedar Falls, Black Hawk County, Iowa; Joan E. Grant, Boone, Boone County, Iowa; and Gerald T. Jorgensen, Dubuque, Dubuque County, Iowa.

To the State Board of Speech Pathology and Audiology Examiners pursuant to Section 147.14(9), 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Jacqueline F. Bryant, Cedar Rapids, Linn County, Iowa, and Edwina H. Kopal, Mason City, Cerro Gordo County, Iowa.

To the State Board of Veterinary Medicine pursuant to Section 169.5, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Judith L. Huntrods, St. Charles, Madison County, Iowa, and Sally B. Prickett, Norwalk, Warren County, Iowa.

Pursuant to Section 2.32(4), 1983 Code of Iowa, I submit the deferral of the Iowa Real Estate Commission.

Pursuant to Section 2.32(4), 1983 Code of Iowa, I submit the deferral of the Iowa Rural Community Development Committee. The Board has not met since October of 1980, and was last funded in fiscal year 1979-80.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

COMMUNICATION FROM THE OFFICE OF THE GOVERNOR

The following communication from the office of the Governor was presented on March 15, 1984:

March 15, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

Pursuant to Section 2.32(4), 1983 Code of Iowa, I am sending you the reasons to accompany four notices of deferral from the Governor.

There is legislation pending that could effect the Landscape Architectural Examiners Board.

The Waterworks and Waste Waterworks Certification board statute was recently changed eliminating the public member and substituting a rural water district representative. This has caused a delay in our appointment process.

Pursuant to Section 117.8, the 1983 Iowa Code "no more than one commissioner can be from the same county." A delay developed as a result of many applicants from Polk County.

An appointment to the Pharmacy Examiners board was deferred because of additional review of the final candidates for the appointment.

Very truly yours,
JERRY MATHIASSEN
Administrative Assistant

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 March 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2209, a bill for an act requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control.

ALSO: That the House has on March 16, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2243, a bill for an act providing that a person who provides assistance or advice in the abatement or attempted abatement or cleanup of a hazardous condition is not liable for damages resulting from the assistance or advice.

House File 2354, a bill for an act relating to the purchase of equipment and supplies by the board of trustees of a county public hospital.

House File 2443, a bill for an act prohibiting the transfer of a jury in change of venue actions.

House File 2446, a bill for an act relating to the Iowa family farm development authority by expanding the definition of the terms "beginning farmer" and "low or moderate net worth", allowing designees of certain members to be on the board, and decreasing the number of members needed to constitute a quorum of the board.

House File 2447, a bill for an act relating to the providing of interpreters for hearing impaired persons.

House File 2459, a bill for an act allowing a vendor to charge for reasonable attorneys fees in the forfeiture of a real estate contract.

House File 2480, a bill for an act ceding to the United States concurrent legislative jurisdiction over and within certain lands and waters dedicated to national park purposes.

House File 2484, a bill for an act relating to the setting aside of default judgments in small claims court.

The foregoing bills were read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2270

Senator Gallagher withdrew the motion to reconsider Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug, filed by him on March 16, 1984, and found on page 874 of the Senate Journal.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for March 19, 20 and 21, 1984, on request of Senator Hultman.

UNFINISHED BUSINESS (Deferred March 9, 1984)

Senate File 2014

The Senate resumed consideration of Senate File 2014, a bill for an act to establish limits to the amount of money a candidate's committee can accept from a political committee, amendment S—5144 to page 1 of the bill and amendment S—5163 to amendment S—5144, deferred on March 9, 1984.

Senator Colton offered amendment S—5342 filed by Senators Colton, et al., on March 12, 1984, to strike everything after the enacting clause and to the title page of the bill.

Senator Slater offered amendment S—5427 filed by Senators Slater and Bruner on March 16, 1984, to amendment S—5342 and moved its adoption.

Amendment S—5427 was adopted by a voice vote.

Senator Jensen took the chair at 10:30 a.m.

Senator Colton moved the adoption of amendment S—5342 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5342 as amended, the Chair ruled the following amendments out of order:

S—5144 by the committee on State Government to page 1 of the bill, deferred on March 9, 1984.

S—5163 by Senators Colton and Mann to amendment S—5144, deferred on March 9, 1984.

S—5164 filed by Senators Colton and Mann on February 27, 1984, to page 1 of the bill.

S—5165 filed by Senators Colton and Mann on February 27, 1984, to page 1 of the bill.

S—5183 filed by Senator Ritsema on February 28, 1984, to page 1 and to the title page of the bill.

S—5192 filed by Senators Bruner and Slater on February 29, 1984, to amendment S—5144.

S—5195 filed by Senator Colton on March 1, 1984, to amendment S—5144.

S—5196 filed by Senator Colton on March 1, 1984, to amendment S—5144.

S—5208 filed by Senator Hultman on March 1, 1984, to page 1 of the bill.

By Senator Colton filed on March 5, 1984, to page 1 of the bill:

S—5219, S—5220, S—5221, S—5243, S—5244 and S—5245.

By Senator Colton filed on March 6, 1984, to page 1 of the bill:

S—5256, S—5272, S—5274 and S—5275.

S—5289 and S—5290 filed by Senator Colton on March 7, 1984, to page 1 of the bill.

S—5315 filed by Senator Colton on March 8, 1984, to page 1 of the bill.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2014) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Colton	Deluhery	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A. V.
Miller, C. P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Carr
Schwengels

Coleman

Lind

Rodgers

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 WITHDRAWN

Senate File 2270

Senator Doyle withdrew the motion to reconsider Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug, filed by him on March 16, 1984, and found on page 874 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 2014 and 2270 be immediately messaged to the House.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2259

Senator Junkins asked and received unanimous consent to withdraw the motion to reconsider Senate File 2259, a bill for an act relating to the day school shall commence for elementary and secondary schools each school year, filed by Senator Jensen on March 16, 1984, and found on page 875 of the Senate Journal.

Senator Brown withdrew the motion to reconsider Senate File 2259 filed by him on March 16, 1984, and found on page 887 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate File 2259 be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the day on request of Senator Junkins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2296.

Senate File 2296

On motion of Senator Anderson, Senate File 2296, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases, with report of committee on Finance recommending passage, was taken up for consideration.

Senator Anderson asked and received unanimous consent that further action on Senate File 2296 be deferred.

UNFINISHED BUSINESS (Deferred March 1, 1984)

Senate File 2164

The Senate resumed consideration of Senate File 2164, a bill for an act relating to the membership of the Iowa public broadcasting board, deferred on March 1, 1984.

Senator Van Gilst asked and received unanimous consent that further action on Senate File 2164 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2317.

Senate File 2317

On motion of Senator Van Gilst, Senate File 2317, a bill for an act relating to the purchase of Iowa coal by state and local government institutions, with report of committee on Finance recommending passage, was taken up for consideration.

Senator Van Gilst moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2317) the vote was:

Ayes, 41:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Hall	Hester
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Ritsema
Slater	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 5:

Gratias	Holden	Readinger	Rife
Small			

Absent or not voting, 4:

Carr	Lind	Rodgers	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.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2317 passed the Senate on March 19, 1984.

JULIA GENTLEMAN

President Anderson took the chair at 11:05 a.m.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2293.

Senate File 2293

On motion of Senator Bruner, Senate File 2293, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty, with report of committee on State Government recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5420 filed by the committee on State Government on March 16, 1984, to strike everything after the enacting clause and to the title page of the bill.

Senator Bruner offered amendment S—5431 filed by him from the floor to page 8 of amendment S—5420 and moved its adoption.

Amendment S—5431 was adopted by a voice vote.

Senator Bruner asked and received unanimous consent that further action on amendment S—5420 as amended and Senate File 2293 be deferred.

CONSIDERATION OF BILL
(Noncontroversial Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2278.

Senate File 2278

On motion of Senator Slater, Senate File 2278, a bill for an act relating to criteria for the issuance of a certificate of need by the state health facilities council, was taken up for consideration.

Senator Bruner offered amendment S—5434 filed by Senators Bruner, Holden and Slater from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5434 was adopted by a voice vote.

With the adoption of amendment S—5434, the Chair ruled the following amendments out of order:

S—5371 filed by Senators Bruner, Holden and Slater on March 13, 1984, to strike everything after the enacting clause of the bill.

S—5422 filed by Senator Bruner on March 16, 1984, to amendment S—5371.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2278) the vote was:

Ayes, 34:

Anderson	Brown	Bruner	Coleman
Colton	Deluhery	Doyle	Drake
Gallagher	Gentleman	Gratias	Hall
Hester	Holden	Holt	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Schwengels
Slater	Small	Soorholtz	Van Gilst
Wells	Welsh		

Nays, 13:

Briles	Dieleman	Gettings	Goodwin
Hulse	Hultman	Jensen	Nystrom
Ritsema	Taylor	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 3:

Carr	Lind	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.

Senator Junkins asked and received unanimous consent that Senate File 2278 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2261.

Senate File 2261

On motion of Senator Holden, Senate File 2261, a bill for an act relating to the powers of state-chartered savings and loan associations, was taken up for consideration.

Senator Holden offered amendment S—5413 filed by him on March 15, 1984, to pages 2 and 6 of the bill and moved its adoption.

Amendment S—5413 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2261) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Dieleman
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritserma	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 4:

Carr	Hulse	Lind	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.

BUSINESS PENDING

Senate File 2293

The Senate resumed consideration of Senate File 2293 and amendment S—5420 as amended, previously deferred.

Senator Ritsema offered amendment S—5435 filed by him from the floor to amendment S—5420 and moved its adoption.

Amendment S—5435 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5420 as amended, which motion prevailed by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2293) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A. V.	Miller, C. P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 1:

Mann

Absent or not voting, 5:

Carr	Holt	Lind	Rodgers
Schwengels			

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 2261 and 2293 be immediately messaged to the House.

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 March 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2468, a bill for an act relating to the election laws by providing a method of challenging nomination petitions, eliminating the requirement for notarization of absentee ballots, allowing the mailing of certain absentee ballots, regulating the office hours of the county commissioner of elections, revising delivery of registration forms and changes in registration, requiring identification of political advertisers, providing for assistance to certain voters and making certain technical corrections to the voting laws and providing penalties and effective dates.

This bill was read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:15 p.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., President Anderson 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 March 16, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2412, a bill for an act relating to informing defendants of an applicable mandatory minimum sentence.

House File 2500, a bill for an act to establish a farm mortgage interest loan program to be administered by the family farm development authority to provide no-interest loans to farmers for the period of one year to assist farmers in paying the interest costs of farm mortgage loans.

House File 2502, a bill for an act relating to material lift elevators.

The foregoing bills were read first time and **passed on file**.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

UNFINISHED BUSINESS (Deferred January 24, 1984)

Senate File 489

The Senate resumed consideration of Senate File 489, a bill for an act authorizing volunteer members of a volunteer search or rescue service agency to use blue flashing lights on their privately-owned motor vehicles, deferred on January 24, 1984.

Senator Welsh offered amendment S—5190 filed by him on February 29, 1984, to strike everything after the enacting clause and to the title page of the bill.

Senator Welsh offered amendment S—5212 filed by Senator Husak on March 2, 1984, to amendment S—5190 and moved its adoption.

Amendment S—5212 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—5190 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5190 as amended, the Chair ruled amendment S—5099 filed by Senator Husak on February 8, 1984, to page 1 of the bill, out of order.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, 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, 41:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Carr	Hultman	Jensen	Lind
Palmer	Rodgers	Schwengels	Van Gilst
Waldstein			

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 489 passed the Senate on March 19, 1984.

C.W. BILL HUTCHINS

UNFINISHED BUSINESS
(Deferred March 12, 1984)

Senate File 2271

The Senate resumed consideration of Senate File 2271, a bill for an act relating to the department of public safety by providing for representation of members in criminal actions and the designation of department members as department administrative hearing officers, and the motion to reconsider amendment S—5239 filed by Senator Mann, deferred on March 12, 1984.

Senator Mann moved the adoption of the motion to reconsider amendment S—5239.

The motion prevailed by a voice vote and amendment S—5239 to page 1 and the title page of the bill, was taken up for reconsideration.

Senator Welsh withdrew amendment S—5439 filed by him from the floor to amendment S—5239.

Senator Mann offered amendment S—5368 filed by Senators Colton and Mann on March 13, 1984, to amendment S—5239 and moved its adoption.

Amendment S—5368 was adopted by a voice vote.

Senator Mann 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—5368 to amendment S—5239 to Senate File 2271 was adopted by the Senate on March 19, 1984.

The motion prevailed by a voice vote and amendment S—5368 to amendment S—5239 was taken up for reconsideration.

Senator Mann asked and received unanimous consent that action on amendment S—5368 to amendment S—5239 be deferred.

Senator Welsh asked and received unanimous consent that amendment S—5439 to amendment S—5239, previously withdrawn, be eligible for further consideration of the Senate.

Senator Welsh moved the adoption of amendment S—5439 to amendment S—5239, which motion prevailed by a voice vote.

With the adoption of amendment S—5439 to amendment S—5239, the Chair ruled amendment S—5368 to amendment S—5239, previously deferred, out of order.

Senator Welsh moved the adoption of amendment S—5239 as amended, which motion prevailed by a voice vote.

Senator Coleman offered amendment S—5441 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 14, nays 29.

Amendment S—5441 lost.

Senator Colton offered amendment S—5367 filed by Senators Colton and Holt on March 13, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5367 was adopted by a voice vote.

With the adoption of the motion to reconsider amendment S—5239 by Senator Mann, the Chair ruled the motion to reconsider the vote by which amendment S—5239 was adopted by the Senate filed by Senator Colton on March 12, 1984, and found on page 781 of the Senate Journal, out of order.

Senator Holt moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2271) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Priebe

Readinger
Soorholtz
Van Gilst

Rife
Taylor
Waldstein

Ritsema
Tieden
Wells

Small
Vande Hoef
Welsh

Nays, none.

Absent or not voting, 6:

Carr
Schwengels

Lind
Slater

Palmer

Rodgers

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

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2271 passed the Senate on March 19, 1984.

C. JOSEPH COLEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2271 passed the Senate on March 19, 1984.

LEE HOLT

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 2234** be referred from the Noncontroversial Calendar to the committee on **Local Government**.

President Anderson announced that **Senate File 2307** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38..

MOTION TO RECONSIDER WITHDRAWN

Senate File 2243

Senator Husak withdrew the motion to reconsider Senate File 2243, a bill for an act specifying which claims paid to county employees must be published in official newspapers, filed by him on March 8, 1984, and found on page 736 of the Senate Journal.

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

The Senate resumed session, Senator Colton 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 March 13, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2471, a bill for an act creating a hazardous waste remedial fund and providing for the cleanup of hazardous conditions and the management and cleanup of abandoned or uncontrolled hazardous waste disposal sites.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 14, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2394, a bill for an act relating to the licensure of dietitians and nutritionists.

This bill was read first time and **passed on file**.

House File 2437, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty.

This bill was read first time and **passed on file**.

House File 2457, a bill for an act relating to guardianships and conservatorships by redefining what persons are subject to guardianships and conservatorships, providing that certain proposed wards are entitled to representation, revising provisions governing the powers and duties of guardians and conservators, including requirements for reporting, and eliminating special provisions for guardians of mentally retarded persons.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 15, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2160, a bill for an act to provide a preference for residents in awarding of public contracts in certain situations (S—5443).

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointments to state boards and commissions to **standing committees** as indicated for investigation on March 19, 1984:

Irving R. Burling—Iowa Higher Education Loan Authority—Education
State Board of Public Instruction—Education

Wesley S. Chapman

Stephen C. Gerard

Karen K. Goodenow

Lillie Virginia Harper—Iowa Board of Parole—Judiciary

State Racing Commission—Judiciary

Steve Sovern

Lavonne Mydland

Public Employment Relations Board—Labor and Industrial Relations

James A. McClimon

Peter L. Pashler

Cloyd E. Robinson—Iowa High Technology Council—Small Business & Economic Development

Arlene H. Dayhoff—Commission for the Blind—State Government

State Historical Board—State Government

Dale R. Henning

Nance A. McMinimee

Iowa Railway Finance Authority—Transportation

O. R. Woods

Fred E. McKim, Jr.

State Transportation Commission—Transportation

Delmar Van Horn

Molly A. Scott

LOWELL L. JUNKINS, Chair

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2309 failed to pass the Senate on March 16, 1984.

CHARLES P. MILLER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2317 passed the Senate on March 19, 1984.

BASS VAN GILST

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration placed the following appointments to state boards and commissions on the **En Bloc Confirmation Calendar** on March 19, 1984, and recommended the appointments be confirmed by the Senate:

Board of Accountancy

Cindy Den Adel

Gaylon L. Halverson

Board of Architectural Examiners

Twyla J. Humpleby

Kenneth E. Carpenter

Bernard J. Keninger

James W. Wilkins

State Board of Barber Examiners

Karen J. Kearney

Carroll W. Anderson

Dean L. Frederickson—Iowa Beer and Liquor Control Council

State Board of Chiropractic Examiners

Kenneth G. Pride

Martha L. Leibhart

Milton F. Schlein

Gene A. Schatz—City Development Board

City Finance Committee

Peter Hegeman

Maree A. Hansen

Robert E. McMahan

State Board of Cosmetology Examiners

Margaret A. Turk

James H. O'Neill

Credit Union Review Board

James J. McCue

M. Aileen Brown

State Board of Dental Examiners

Dawn C. Roberts

Pamela E. DeMoss

Carmen S. Miller

Energy Policy Council

Robert S. Hansen

David T. Nelson

Delmar A. Nelson

State Board of Engineering Examiners

Charles E. Hales

Gary D. Darland

Virginia E. Ruark

Iowa Family Farm Development Authority

Sonja L. Larsen

Diana L. Stadtmueller

Steven A. Basler

Board of Examiners for Hearing Aid Dealers

Robert S. Klopp

Mary M. Smith

Kim D. Schmett—Job Service Appeal Board**Iowa Law Enforcement Academy Council**

Douglas W. Book

Connie A. White

State Board of Medical Examiners

Marian C. Bourek

Richard L. Carruthers

Reid E. Motley

LOWELL L. JUNKINS, Chair

COMMUNICATIONS

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

OFFICE OF THE STATE COMPTROLLER

On March 19, 1984, received a copy of the "Valuable Ideas for Productivity Program Annual Report" for the period of July 1, 1982 through June 30, 1983, pursuant to Section 19.33(b) of the Code of Iowa.

Copies available to members upon request.

IOWA DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT

On March 19, 1984, received a copy of the Department of Water, Air and Waste Management's 1983 Annual Report, pursuant to Chapter 455B.105 (6) of the Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificates of recognition have been issued as follows:

The Honorable Thomas J. Dailey—For long hours and valuable service to the VFW over many years; the giving of time and talents to Church, City, State, and Country; fairness to his fellow man has always been his motto and helping those in need, his goal. Senator Charles P. Miller. (March 18, 1984.)

Janeen Chamberlain—The 1984 National Pork Queen. Senator Husak. (March 8, 1984.)

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5408 to Senate File 2270, the following technical correction was made:

1. Page 1, line 6, "Section 3" was changed to "Section 4".

K. MARIE THAYER
Secretary of the Senate

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 60, the following Senators were appointed to subcommittees of the standing committees:

JUDICIARY: As a member of the Iowa Board of Parole:

LILLIE VIRGINIA HARPER
Mann, Chair
Gentleman
Deluhery

JUDICIARY: As members of the State Racing Commission:

LAVONNE MYDLAND
STEVE SOVERN
Doyle, Chair
Ritsema
Mann
Drake
Horn

LABOR AND INDUSTRIAL RELATIONS: As a member of the Public Employment Relations Board:

JAMES A. McCLIMON
Gettings, Chair
Vande Hoef
Wells

LABOR AND INDUSTRIAL RELATIONS: As a member of the Public Employment Relations Board:

PETER L. PASHLER
Slafer, Chair
Colton
Jensen

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Iowa High Technology Council:**CLOYD E. ROBINSON**

Hulse, Chair

Doyle

Hutchins

STATE GOVERNMENT: As a member of the Commission for the Blind:**ARLENE H. DAYHOFF**

Soorholtz, Chair

Slater

Nystrom

STATE GOVERNMENT: As a member of the State Historical Board:**DALE R. HENNING**

Schwengels, Chair

Gettings

Rife

STATE GOVERNMENT: As a member of the State Historical Board:**NANCE A. McMINIMEE**

Nystrom, Chair

Briles

Dieleman

TRANSPORTATION: As a member of the Iowa Railway Finance Authority:**FRED E. McKIM, JR.**

Priebe, Chair

Welsh

Lind

TRANSPORTATION: As a member of the Iowa Railway Finance Authority:**O. R. WOODS**

Hall, Chair

Jensen

A. Miller

TRANSPORTATION: As a member of the State Transportation Commission:**MOLLY A. SCOTT**

Priebe, Chair

Drake

Coleman

TRANSPORTATION: As a member of the State Transportation Commission:

DELMAR VAN HORN

Nystrom, Chair

Coleman

Doyle

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2209	Agriculture
H.F.	2243	Energy
H.F.	2354	Local Government
H.F.	2412	Judiciary
H.F.	2443	Judiciary
H.F.	2446	Agriculture
H.F.	2447	Human Resources
H.F.	2459	Judiciary
H.F.	2468	State Government
H.F.	2480	Judiciary
H.F.	2484	Judiciary
H.F.	2497	Agriculture
H.F.	2500	Commerce
H.F.	2502	Labor & Industrial Relations

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION & LAW ENFORCEMENT

Convened: March 15, 1984, 11:25 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Coleman and Holden.

Members Absent: none.

Other Committee Business: Reviewed proposed subcommittee bill.

Adjourned: 12:15 p.m.

PRESENTATION OF VISITORS

Present on Friday, March 16, 1984 in the Senate gallery were:

Members of the Denver High School Boys' State tournament basketball team, accompanied by Coach Mark Bigler. Senator Jensen.

PETITIONS

The following petitions favoring legislation relating to the day school shall commence for elementary and secondary schools each school year were presented and placed on file by:

Senator Dieleman from ninety-eight residents from Marion County.

Senator Taylor from fifty residents of Iowa.

AMENDMENTS FILED

S-5431	S. F.	2293	Charles Bruner
S-5432	S. F.	2258	Doanld V. Doyle
S-5433	S. F.	2274	Edgar H. Holden
S-5434	S. F.	2278	Charles Bruner
			Edgar H. Holden
			Tom Slater
S-5435	S. F.	2293	Douglas Ritsema
S-5436	H.F.	540	Milo Colton
			C.W. Bill Hutchins
S-5437	S. F.	2255	James V. Gallagher
S-5438	S. F.	2258	Wally E. Horn
S-5439	S. F.	2271	Joe J. Welsh
S-5440	H.F.	540	Milo Colton
			C.W. Bill Hutchins
S-5441	S. F.	2271	C. Joseph Coleman
S-5442	H.F.	434	Alvin V. Miller
			C.W. Bill Hutchins
S-5443	S. F.	2160	House Amendment

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:22 p.m., until 9:00 a.m., Tuesday, March 20, 1984.

JOURNAL OF THE SENATE

923

SEVENTY-SECOND CALENDAR DAY FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 20, 1984

The Senate met in regular session at 9:05 a.m., Senator Brown presiding.

Prayer was offered by the Reverend Richard Macke, pastor of the St. Joseph's Catholic Church, Jefferson, Iowa.

The Journal of Monday, March 19, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Slater and Carr for the day on request of Senator Junkins.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

MOTION TO RECONSIDER LOST

Senate File 2217'

Senator Rodgers called up the motion to reconsider Senate File 2217, a bill for an act establishing uniform enforcement remedies for the department of water, air and waste management, and imposing civil penalties, filed by him on March 16, 1984, found on page 879 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2217) the vote was:

Ayes, 20:

Briles
Gentleman

Coleman
Goodwin

Drake
Hall

Gallagher
Holden

Holt
Jensen
Soorholtz

Hulse
Miller, C.P.
Taylor

Hultman
Readinger
Vande Hoef

Hutchins
Schwengels
Waldstein

Nays, 24:

Anderson
Deluhery
Hester
Kinley
Rife
Tieden

Brown
Dieleman
Horn
Mann
Ritsema
Van Gilst

Bruner
Doyle
Husak
Miller, A.V.
Rodgers
Wells

Colton
Gettings
Junkins
Nystrom
Small
Welsh

Absent or not voting, 6:

Carr
Priebe

Gratias
Slater

Lind

Palmer

The motion lost.

The Chair ruled the motion to reconsider the vote by which Senate File 2217 passed the Senate on March 16, 1984, filed by Senator Holden on March 16, 1984, and found on page 879 of the Senate Journal, out of order.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2317

Senator Gentleman withdrew the motion to reconsider Senate File 2317, a bill for an act relating to the purchase of Iowa coal by state and local government institutions, filed by her on March 19, 1984, and found on page 905 of the Senate Journal.

Senator Van Gilst withdrew the motion to reconsider Senate File 2317 filed by him on March 19, 1984, and found on page 916 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 2217 and 2317 be immediately messaged to the House.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:39 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson 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 March 15, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 426, a bill for an act to provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties.

This bill was read first time and referred to the committee on **Labor and Industrial Relations**.

House File 2458, a bill for an act relating to school district reorganization procedures.

ALSO: That the House has on March 16, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2008, a bill for an act relating to penalties assessed on delinquent water vessel renewal registrations and authorizing the state conservation commission to amend regulations concerning the registration for the holding of regattas, motorboat or other boat races, marine parades, tournaments or exhibitions on any waters of this state.

House File 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands.

House File 2489, a bill for an act relating to the establishment of mandatory supervised release for inmates and providing penalties.

ALSO: That the House has on March 19, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2491, a bill for an act relating to public utilities by providing for an income tax checkoff for the low income home energy assistance program, the right of parties to appeal the final decision in a rate proceeding, the notification of the office of consumer advocate when a public utility is engaged in certain legal actions, procedures establishing excess electric generating capacity, the use of competitive bidding procedures by public utilities, by requiring investor-owned utilities to purchase combustible gas from municipalities under certain circumstances, making civil penalties applicable and providing effective dates.

ALSO: That the House has on March 20, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2433, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases.

The foregoing bills were read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 109, by Committee on Judiciary, a concurrent resolution creating a study committee to study adoption of children and termination statutes and procedures.

Read first time and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 2329, by Junkins and Hultman, a bill for an act relating to reviews of health maintenance organizations.

Read first time and referred to the committee on **Human Resources**.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2271

Senator Holt withdrew the motion to reconsider Senate File 2271, a bill for an act relating to the department of public safety by providing for representation of members in criminal actions and the designation of department members as department administrative hearing officers, filed by him on March 19, 1984, and found on page 914 of the Senate Journal.

Senator Coleman withdrew the motion to reconsider Senate File 2271 filed by him on March 19, 1984, and found on page 914 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate File 2271 be immediately messaged to the House.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

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

The Senate resumed session, Senator Deluhery presiding.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Gratias presiding.

INTRODUCTION OF BILL

Senate File 2330, by Committee on Ways and Means, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or

eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing a tax of one percent on gross investment income of insurance companies, and making certain provisions of the Act retroactive.

Read first time and placed on the Ways and Means Calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2008	Natural Resources
H.F.	2457	Human Resources
H.F.	2458	Education
H.F.	2470	Judiciary
H.F.	2471	Energy
H.F.	2489	Judiciary
H.F.	2491	Commerce

REPORT OF THE COMMITTEE OF RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following appointments to state boards and commissions on the **En Bloc Confirmation Calendar** on March 20, 1984, and recommended the appointments be confirmed by the Senate:

Mental Health & Mental Retardation Commission

Mary L. Leonard
Robert D. Hoogeveen
Phyllis K. Osborn
Mildred K. Lloyd
Phyllis J. Priest

State Board of Mortuary Science Examiners

Alvin E. Bremer
Cornelia V. Hoy

State Board of Nursing Examiners

Cecilia M. Zenti
Elizabeth H. Kinney
Edna D. Eaton

Board of Examiners for Nursing Home Administrators

Donna R. Robinson
Murray D. Berggren
Phyllis E. Crouse

Occupational Safety and Health Review Commission

Andrea Van Beek

State Board of Optometry Examiners

John A. Gazaway
Sophie H. Gonzales
Robert B. Tuberty

State Board of Pharmacy Examiners

Margo L. Underwood

Gale W. Stapp

State Board of Physical and Occupational Therapy Examiners

Lois G. Campbell

Carol N. Meindl

Roger G. Egland

State Board of Podiatry Examiners

Marjorie E. Rodgers

James D. Heddens

State Board of Psychology Examiners

Joan E. Grant

Gerald T. Jorgensen

Darrell Dierks

State Board of Speech Pathology and Audiology Examiners

Jacqueline F. Bryant

Edwina H. Kopal

State Board of Veterinary Medicine

Judith L. Huntrods

Sally B. Prickett

LOWELL L. JUNKINS, Chair

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE****Convened:** March 20, 1984, 1:35 p.m.**Members Present:** Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member (arrived 1:37 p.m.); Gallagher, Husak (arrived 1:38 p.m.), Hutchins, A. Miller, Taylor (arrived 1:36 p.m.), Vande Hoef and Waldstein.**Members Absent:** none.**Final Bill Action:** HOUSE FILE 2323, a bill for an act relating to the payment of special assessments of drainage districts.**Recommendation:** DO PASS.**Final Vote:** Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.**ALSO:**

Final Bill Action: HOUSE FILE 2391, a bill for an act relating to license fees, inspection fees and other fees charged by the commerce commission under chapters 542 and 543.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2499, a bill for an act to suspend the Iowa dairy industry commission during the effective period of a national promotional order established pursuant to the 1983 dairy Act.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:58 p.m.

• COMMERCE

Convened: March 20, 1984, 8:12 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery (arrived 8:25 a.m.), Gallagher, Holden, Nystrom and Tieden.

Members Absent: Palmer.

Final Bill Action: SENATE FILE 2279, a bill for an act declaring a state of emergency and imposing a two year moratorium on the foreclosure of real estate mortgages, deeds of trust of real property, contracts for the purchase of real property, and operating loans and loans for personal property when the property is being used for farming or the operation of a small business.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5451.

Final Vote: Ayes, 7: Kinley, Priebe, Bruner, Deluhery, Gallagher, Nystrom and Tieden. Nays, 2: Jensen and Holden. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2062, a bill for an act providing a moratorium on certain disconnections of gas and electricity by regulated public utilities from November 1 to April 1 for residents age sixty or over and making civil penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5453.

Final Vote: Ayes, 8: Kinley, Priebe, Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden. Nays, 1: Jensen. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2234, a bill for an act requiring repair or replacement of a new motor vehicle which does not conform to express warranties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Holden, Gallagher, Nystrom and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2405, a bill for an act relating to the annual meetings of shareholders and the loans to officers of state banks.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2414, a bill for an act relating to credit union reciprocity, par value of shares, deposits, investments, powers, membership, and reserves.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5452.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Nystrom and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 9:12 a.m.

EDUCATION

Convened: March 20, 1984, 3:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Ritsema, Taylor and Wells.

Members Absent: Horn and Lind (excused).

Final Bill Action: HOUSE FILE 2438, a bill for an act relating to the repayment of loans made under the science and mathematics loan program.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Brown, Anderson, Gratias, Colton, Gallagher, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 2: Horn and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 3:40 p.m.

JUDICIARY

Convened: March 19, 1984, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: none.

Final Bill Action: SENATE CONCURRENT RESOLUTION 109, a resolution creating a study committee to study adoption of children and termination statutes and procedures.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Coleman and Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 526, a bill for an act relating to criminal responsibility for the commission of a public offense while insane.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Goodwin, Horn, Small and Welsh. Nays, 2: Gentleman and Mann. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 598, a bill for an act relating to altering, defacing, or removing a serial or identification mark or number and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Coleman and Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 601, a bill for an act relating to appeal of bondset after parole revocation.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Coleman and Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2267, a bill for an act relating to the waiver of presentence investigation for class "B", "C", and "D" felonies.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Coleman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2372, a bill for an act relating to real property legalizing Acts.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2378, a bill for an act relating to the board of parole.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2400, a bill for an act providing for uniform search warrants, applications of search warrants, endorsements for search warrants and returns of search warrants.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Coleman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2452, a bill for an act relating to the requirement of bail during and after a period of deferred judgment and to the discharge of surety bail upon the occurrence of specified conditions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Goodwin, Deluhery, Gentleman, Dieleman, Drake, Horn, Small and Welsh. Nays, none. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Deferred action on House Files 2352 and 2463.

Adjourned: 4:30 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 19, 1984, 1:30 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair; Hulse, Ranking Member; Colton (arrived 1:38 p.m.), Gettings, Hutchins, Vande Hoef and Wells.

Members Absent: Hultman and Jensen (excused.)

Other Committee Business: Assigned bills to subcommittees; assigned Governor's appointments to subcommittees.

Adjourned: 1:40 p.m.

LOCAL GOVERNMENT

Convened: March 20, 1984, 8:03 a.m.

Members Present: A. Miller, Chair; Wells, Vice Chair; Briles, Ranking Member; Brown (arrived 8:19 a.m.), Colton, Goodwin, Mann and Waldstein.

Members Absent: C. Miller and Vande Hoef (both excused.)

Final Bill Action: HOUSE FILE 456, a bill for an act relating to expenditures for a local, nonprofit historical society or municipally-owned historical projects.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Wells, Briles, Brown, Colton, Goodwin, Mann and Waldstein. Nays, none. Absent or not voting, 2: C. Miller and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2247, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties.

Recommendation: DO PASS.

Final Vote: Ayes, 6: A. Miller, Wells, Briles, Brown, Goodwin and Mann. Nays, 2: Colton and Waldstein. Absent or not voting, 2: C. Miller and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2279, a bill for an act relating to regulation of taxicabs by cities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5445.

Final Vote: Ayes, 6: A. Miller, Wells, Briles, Colton, Goodwin and Waldstein. Nays, none. Voting present, 1: Mann. Absent or not voting, 2: C. Miller and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:42 a.m.

NATURAL RESOURCES

Convened: March 20, 1984, 9:45 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Schwengels, Ranking Member; Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife.

Members Absent: none.

Final Bill Action: HOUSE FILE 2100, a bill for an act relating to the location and operation of anhydrous ammonia plants and defining nuisance as the term relates to the plants.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Van Gilst, Rodgers, Schwengels, Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2274, a bill for an act relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Van Gilst, Rodgers, Schwengels, Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2306, a bill for an act permitting the conservation commission to alter and restrict the taking of wildlife.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Van Gilst, Rodgers, Schwengels, Doyle, Gettings, Goodwin, Hall, Hester and Rife. Nays, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 9:59 a.m.

STATE GOVERNMENT

Convened: March 19, 1984, 4:35 p.m.

Members Present: Slater, Chair; Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Carr, Vice Chair and Coleman (both excused), Nystrom, Ranking Member and Schwengels.

Final Bill Action: HOUSE FILE 405, a bill for an act relating to the qualifications for certified public accountants.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Slater, Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 4: Carr, Nystrom, Coleman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2136, a bill for an act relating to the licensing and regulation of social workers, the deposit of license fees for the purpose of administration, and providing penalties for violations.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Slater, Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 4: Carr, Nystrom, Coleman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2284, a bill for an act relating to agreements for indemnification by the state in the event of loss or damage to certain art objects and artifacts borrowed by nonprofit organizations of governmental entities for special exhibits.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Slater, Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 4: Carr, Nystrom, Coleman and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2301, a bill for an act relating to transferring responsibility for issuing commercial licenses and permits for the sale, use, purchase, possession and transportation, reporting of theft or loss, and regulation of disposal of explosives, to the state fire marshal, and the sale, possession, or use of the explosive nitroglycerin, providing a penalty, and transferring the responsibility for the inspection of explosive storage facilities from county sheriffs to the state fire marshal while reducing the number of inspections per year.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Slater, Briles, Bruner, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 4: Carr, Nystrom, Coleman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:55 p.m.

TRANSPORTATION

Convened: March 20, 1984, 2:35 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen, Priebe and Welsh.

Members Absent: Lind and Nystrom (both excused.)

Final Bill Action: HOUSE FILE 2202, a bill for an act to exempt road workers from the traffic laws.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2221, a bill for an act relating to the operation of all terrain vehicles subject to penalties provided by law.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, A. Miller; Doyle, Hall, Jensen, Priebe and Welsh. Nays, 1: Drake. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2232, a bill for an act to allow the operation of articulated buses not exceeding sixty-one feet in length on the public streets and highways.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2272, a bill for an act to authorize certain motor homes to tow a four-wheeled trailer with a steering axle and more than one trailer or semitrailer or both, subject to penalties provided by law.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5455.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2398, a bill for an act allowing a maximum set-aside of ten percent of the total dollar amount of federal aid highway construction contracts let by the state department of transportation for bidding by prequalified disadvantaged business enterprises.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5454.

Final Vote: Ayes, 7: A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, 1: Coleman. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2432, a bill for an act to establish a public transit assistance fund.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, A. Miller, Drake, Doyle, Hall, Jensen, Priebe and Welsh. Nays, none. Absent or not voting, 2: Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; discussed House File 507; assigned subcommittees to investigate Governor's appointments.

Adjourned: 3:07 p.m.

WAYS AND MEANS

Convened: March 20, 1984, 2:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Holden, Ranking Member; Brown (arrived 2:40 p.m.), Deluhery (arrived 2:42 p.m.), Dieleman (arrived 2:40 p.m.), Grattias, Hester, Holt, Readinger, Rodgers, Small, Soorholtz (arrived 2:40 p.m.) and Van Gilst.

Members Absent: Carr (excused).

Final Bill Action: SENATE FILE 2330 (SSB 2250), a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing a tax of one percent on gross investment income of insurance companies, and making certain provisions of the Act retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Husak, Brown, Deluhery, Dieleman, Rodgers, Small and Van Gilst. Nays, 6: Holden, Gratias, Hester, Holt, Readinger and Soorholtz. Absent or not voting, 1: Carr.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:50 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Driscoll, M.D., Iowa City, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate chamber as the guests of Senator Priebe:

Chris Novak, Marion, State President and Doug Steele, Anita, Vice President of the Future Farmers of America; and Dana Hora, Riverside, Chip Flory, Oxford Junction and John Streit, Osage, members of the State 4-H Executive Council.

AMENDMENTS FILED

S-5444	S. F.	2164	Bass Van Gilst
			Arne Waldstein
S-5445	H. F.	2279	Local Government
S-5446	H. F.	2394	Edgar H. Holden

S-5447	S. F.	2274	Patrick J. Deluhery
S-5448	S. F.	2316	Charles P. Miller
S-5449	S. F.	2164	Edgar H. Holden
S-5450	S. F.	2281	Charles P. Miller
S-5451	S. F.	2279	Commerce
S-5452	H.F.	2414	Commerce
S-5453	H.F.	2062	Commerce
S-5454	H.F.	2398	Transportation
S-5455	H.F.	2272	Transportation

ADJOURNMENT

On motion of Senator Taylor, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Wednesday, March 21, 1984.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 21, 1984

The Senate met in regular session at 9:11 a.m., President Anderson presiding.

Prayer was offered by the Reverend Victor Wenger, pastor of the St. Mark's Lutheran Church, Storm Lake, Iowa.

The Journal of Tuesday, March 20, 1984, was approved.

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

The Senate resumed session, Senator Brown presiding.

BILL REFERRED TO COMMITTEE

The Chair announced that **Senate File 2330** was referred from the Ways and Means Calendar to the committee on **Appropriations** under Senate Rule 38.

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

The Senate resumed session, Senator Husak presiding.

BILL ASSIGNED TO COMMITTEE

The Chair announced that **House File 2436** was assigned to the committee on **Human Resources**.

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

The Senate resumed session, Senator Coleman presiding.

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 March 7, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2339, a bill for an act relating to roads by providing that the use of new roads not officially opened to traffic is prohibited, by specifying the authority of peace officers on these roads, by limiting liability of the highway authority having jurisdiction over these roads for claims arising out of unauthorized use of the roads, and by providing penalties for violations.

This bill was read first time and referred to the committee on **Transportation**.

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

The Senate resumed session, Senator Colton presiding.

BILL REFERRED TO COMMITTEE

The Chair announced that **Senate File 2330** was referred from the Appropriations Calendar to the committee on **Finance**.

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

The Senate resumed session, Senator Husak 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 March 21, 1984, passed the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 107, a concurrent resolution urging the state executive council and historical department to accept an offered gift of historic property.

This bill was read first time and referred to the committee on **Natural Resources**.

ALSO: That the House has on March 21, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2407, a bill for an act to permit the state to own and operate a hazardous waste treatment or disposal facility only for the treatment and disposal of hazardous wastes generated by the state.

This bill was read first time and referred to the committee on **Natural Resources**.

The Senate resumed session, Senator Hall presiding.

POINT OF ORDER

Senator Ritsema raised the point of order that the Senate was in violation of Senator Rule 39.7, wherein no committee, except a conference committee, is authorized to meet when the Senate is in session,

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

The Senate resumed session, Senator Colton presiding.

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 March 20, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2487, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and modifying governmental immunity for certain public improvements and places.

This bill was read first time and referred to the committee on **Judiciary**.

BILL REFERRED TO COMMITTEE

The Chair announced that **House File 2217** was referred from the Regular Calendar to the committee on **State Government**.

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

The Senate resumed session, Senator Miller of Cerro Gordo presiding.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Friday, March 16, 1984, when the final votes were taken on Senate Files 2098, 2206, 2217, 2223, 2233, 2240, 2259, 2270, 2276, 2277, 2280, 2309, 2310 and 2312.

Had I been present, I would have voted "aye" on the above bills and "nay" on Senate File 2309.

DAVID M. READINGER

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Cecelia Zenti be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

TOM SLATER

CONFERENCE COMMITTEE REPORT RECEIVED (House File 406)

A conference committee report signed by the following Senate and House members was filed March 21, 1984, on House File 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles:

On the Part of the Senate:

BASS VAN GILST, Chair
HURLEY W. HALL
FORREST V. SCHWENGELS
DALE L. TIEDEN

On the Part of the House:

DENNIS BLACK, Chair
MARVIN DEIMER
WILLIAM R. SULLIVAN
DAVID M. TABOR
SEMOR TOFTE

STUDY BILL RECEIVED

S.S.B. 2251 Ways and Means

Relating to the issuance of bonds by certain counties for the acquisition, construction, reconstruction, improvement, repair, and equipping of water works, water mains and extensions, and

real and personal property useful for providing potable water to county residents, establishment of a special tax district, and taxation of real property located within the special tax district.

REPORTS OF INVESTIGATING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the character and qualifications of Lillie Virginia Harper, Fort Madison, Lee County, Iowa, for reappointment as a member of the Iowa Board of Parole under the provisions of Section 904.2, 1983 Code of Iowa, for a five-year term beginning May 1, 1984, and ending April 30, 1989, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the character and qualifications of Lavonne Mydland, Rock Rapids, Lyon County, Iowa, for reappointment as a member of the State Racing Commission under the provisions of Chapter 187, Section 5, Acts of the Seventieth General Assembly, for a three-year term beginning May 1, 1984, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 20, 1984, 11:30 a.m.

Members Present: Doyle, Vice Chair; Gentleman, Ranking Member and Hulse.

Members Absent: Carr, Chair (excused) and Mann.

Other Committee Business: Discussed amendments to proposed bill.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 20, 1984, 11:20 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member; Hester and Priebe.

Members Absent: none.

Other Committee Business: Discussed appropriations for capital projects.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 20, 1984, 11:18 a.m.

Members Present: Wells, Chair; Goodwin, Ranking Member and Jensen.

Members Absent: Brown and Rodgers (both excused.)

Other Committee Business: Hearing on the Commerce Commission and Consumer Advocate.

Adjourned: 11:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 20, 1984, 11:25 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair (arrived 11:48 a.m.); Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: none.

Other Committee Business: Discussed proposed subcommittee bill.

Adjourned: 12:10 p.m.

APPROPRIATIONS

Convened: March 21, 1984, 1:45 p.m.

Members Present: Small, Chair; Palmer, Vice Chair; Tieden, Ranking Member; Bruner, Carr, Deluhery, Dieleman, Gentleman, Holt, Horn, Husak, Readinger, Waldstein and Wells.

Members Absent: Lind (excused), Hall, Schwengels and Welsh.

Final Bill Action: SENATE FILE 2330 (SSB 2250), a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing a tax of one percent on gross investment income of insurance companies, and making certain provisions of the Act retroactive.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Small, Palmer, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Holt, Horn, Husak, Readinger, Waldstein and Wells. Nays, none. Absent or not voting, 4: Hall, Lind, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; amended and approved SSB 2249 as a committee bill.

Adjourned: 2:10 p.m.

COMMERCE

Convened: March 20, 1984, 4:45 p.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Gallagher, Holden, Palmer and Tieden.

Members Absent: Nystrom.

Final Bill Action: HOUSE FILE 2409, a bill for an act removing the priority of a mortgage given by the trustees of a cooperative housing association over any mortgage, lien, or encumbrance against an individual apartment or room or the owner's interest in an individual apartment or room.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Palmer and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2464, a bill for an act relating to the measurement of pipeline companies.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Palmer and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:47 p.m.

EDUCATION

Convened: March 21, 1984, 2:30 p.m.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells

Members Absent: Lind (excused).

Final Bill Action: HOUSE FILE 509, a bill for an act to require registration with the secretary of state of certain schools that maintain or conduct courses of instruction.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2217, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5484 (filed March 22, 1984).

Final Vote: Ayes, 6: Brown, Anderson, Colton, Gallagher, Horn and Wells. Nays, 3: Gratias, Ritsema and Taylor. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2458, a bill for an act relating to school district reorganization procedures.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 3:30 p.m.

ENERGY

Convened: March 21, 1984, 9:30 a.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Bruner, Hultman, Hulse, C. Miller, Tieden and Van Gilst.

Members Absent: Brown.

Final Bill Action: HOUSE FILE 2243, a bill for an act providing that a person who provides assistance or advice in the abatement or attempted abatement or cleanup of a hazardous condition is not liable for damages resulting from the assistance or advice.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gallagher, Colton, Rife, Bruner, Hultman, Hulse, C. Miller, Tieden and Van Gilst. Nays, none. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned House File 2471 to a subcommittee.

Adjourned: 10:20 a.m.

ENERGY

Convened: March 21, 1984, 3:40 p.m.

Members Present: Gallagher, Chair; Colton, Vice Chair; Rife, Ranking Member; Brown, Bruner, Hulse, Hultman, C. Miller and Van Gilst.

Members Absent: Tieden.

Final Bill Action: HOUSE FILE 2471, a bill for an act creating a hazardous waste remedial fund and providing for the cleanup of hazardous conditions and the management and cleanup of abandoned or uncontrolled hazardous waste disposal sites.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Gallagher, Colton, Brown, Bruner, C. Miller and Van Gilst. Nays, 3: Rife, Hultman and Hulse. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:15 p.m.

FINANCE

Convened: March 21, 1984, 4:44 p.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Junkins, Palmer, Small and Tieden.

Members Absent: Holden.

Final Bill Action: SENATE FILE 2330, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing a tax of one percent on gross investment income of insurance companies, and making certain provisions of the Act retroactive.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5465.

Final Vote: Ayes, 6: Rodgers, Hutchins, Junkins, Palmer, Small and Tieden. Nays, 1: Hultman. Absent or not voting, 1: Holden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17. ,

Adjourned: 4:55 p.m.

HUMAN RESOURCES

Convened: March 21, 1984, 1:00 p.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Gentleman, Ranking Member; Coleman, Gratias, Hall, Horn, Ritsema, Slater and Soorholtz.

Members Absent: Briles and Mann.

Final Bill Action: HOUSE FILE 2110, a bill for an act relating to the regulation of radiation machines and radioactive materials and providing a civil penalty for violations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, C. Miller, Gentleman, Hall, Horn, Ritsema, Slater and Soorholtz. Nays, 2: Coleman and Gratias. Absent or not voting, 2: Briles and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2436, a bill for an act relating to the licensure and operation of a hospice program.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Carr, C. Miller, Gentleman, Hall, Horn, Slater and Soorholtz. Nays, 1: Coleman. Voting present, 2: Gratias and Ritsema. Absent or not voting, 2: Briles and Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2447, a bill for an act relating to the providing of interpreters for hearing impaired persons.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, C. Miller, Gentleman, Coleman, Gratias, Hall, Horn, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 2: Briles and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:30 p.m.

JUDICIARY

Convened: March 21, 1984, 9:30 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh.

Members Absent: Small (excused.)

Final Bill Action: HOUSE FILE 2164, a bill for an act relating to the duties and responsibilities of a peace officer to a victim of domestic abuse, providing a penalty and requiring the department of public safety to submit a proposal to the general assembly by January 15, 1985 for the collection of domestic violence data and statistics to be disseminated to the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Briles, Coleman, Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2334, a bill for an act relating to the definition of burglary and attempted burglary.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt and Horn. Nays, none. Absent or not voting, 3: Welsh, Small and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2348, a bill for an act relating to correctional procedures by expanding the circumstances under which home work release may be granted, providing for the duty of counties to comply with state requests for temporary confinement of alleged parole or work release violators, allowing a designee of the warden or superintendent to hear appeals of hearing officers, extending the time for the board of directors of a judicial district department of correctional services to file its annual report, and providing for the penalty of contempt for violations of parole.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5457.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Small and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2373, a bill for an act relating to attorney fees in proceedings to enforce or modify orders or decrees relating to dissolution of marriage.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Small and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2380, a bill for an act authorizing the dissemination of criminal history data to certain youth service agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2396, a bill for an act relating to the exemption of law enforcement officials from the licensing requirements for private detectives.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Deluhery and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2424, a bill for an act relating to expenses incurred by health care facilities in receivership and the liability of the receiver for the expenses and for suits filed against the receiver.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt and Horn. Nays, none. Absent or not voting, 3: Small, Welsh and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2425, a bill for an act relating to the commitment of children and certain adults either to the state training school or the appropriate adult correctional facility.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2431, a bill for an act relating to the issuance of arrest warrants for work release violators or escapees.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn and Welsh. Nays, none. Absent or not voting, 2: Small and Deluhery.

ALSO:

Final Bill Action: HOUSE FILE 2463, a bill for an act relating to the priority of construction mortgage liens.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Goodwin, Holt and Horn. Nays, 1: Gentleman. Absent or not voting, 3: Small, Welsh and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2480, a bill for an act ceding to the United States concurrent legislative jurisdiction over and within certain lands and waters dedicated to national park purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Briles, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt and Horn. Nays, none. Absent or not voting, 3: Small, Welsh and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Recommended Governor's appointees to the En Bloc Confirmation Calendar.

Adjourned: 10:30 a.m.

NATURAL RESOURCES

Convened: March 21, 1984, 1:32 p.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Schwengels, Ranking Member; Doyle, Gettings, Goodwin (arrived 1:36 p.m.), Hall (arrived 1:36 p.m.), Hester, Priebe (arrived 1:36 p.m.) and Rife (arrived 1:36 p.m.)

Members Absent: none.

Final Bill Action: HOUSE FILE 531, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Van Gilst, Rodgers, Schwengels, Doyle, Gettings, Hester and Goodwin. Nays, none. Absent or not voting, 3: Hall, Priebe and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2387, a bill for an act relating to the authority of the department of water, air and waste management over public water supply systems.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Van Gilst, Rodgers, Schwengels, Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2401, a bill for an act relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Van Gilst, Rodgers, Schwengels, Doyle, Gettings, Goodwin, Hall, Hester, Priebe and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:54 p.m.

STATE GOVERNMENT

Convened: March 21, 1984, 2:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: none.

Final Bill Action: HOUSE FILE 2219, a bill for an act to provide that an eligible elector residing in a precinct may register to vote at the polling place on election day.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5460.

Final Vote: Ayes, 8: Slater, Carr, Bruner, Coleman, Dieleman, Gettings, C. Miller and Welsh. Nays, 6: Nystrom, Briles, Drake, Rife, Schwengels and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:00 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wm. H. Steinbeck, M.D., Keystone, Iowa.

AMENDMENTS FILED

S—5456	S. F.	2255	Emil J. Husak
S—5457	H. F.	2348	Judiciary
S—5458	S. F.	2279	Charles Bruner

S—5459	S. F.	2279	Charles Bruner
S—5460	H.F.	2219	State Government
S—5461	H.F.	2067	Don E. Gettings
S—5462	S. F.	2330	Edgar H. Holden
S—5463	S. F.	2330	Edgar H. Holden
S—5464	H.F.	2463	Joe J. Welsh
			Patrick J. Deluhery
S—5465	S. F.	2330	Finance
S—5466	S. F.	2330	Calvin O. Hultman
S—5467	S. F.	2330	Calvin O. Hultman
S—5468	S. F.	2330	Calvin O. Hultman

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:38 p.m., until 9:00 a.m., Thursday, March 22, 1984.

JOURNAL OF THE SENATE

961

SEVENTY-FOURTH CALENDAR DAY FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 22, 1984

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

Prayer was offered by the Reverend E.R. Voogd, pastor of the Central Reformed Church, Oskaloosa, Iowa.

The Journal of Wednesday, March 21, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lind and Schwengels for today and March 23, 1984, 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 March 20, 1984, passed (with amendment S—5764) the following bill in which the concurrence of the Senate is asked:

House File 2482, a bill for an act relating to the elimination of sanitary landfills as a method of waste disposal and subjecting violators to a civil penalty.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 20, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2501, a bill for an act relating to the supervision, rehabilitation, and liquidation of insurance companies and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 21, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2445, a bill for an act relating to the Iowa housing finance authority by changing the definitions of "small business" and "dominant in its field of operation" for the small business loan program and increasing the bonding capacity.

This bill was read first time and **passed on file**.

REQUEST FOR UNANIMOUS CONSENT (Governor's Appointee)

Senator Junkins asked and received unanimous consent that Steve Sovern and Lavonne Mydland, Governor's appointees to the State Racing Commission, be excused from introduction before the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2274.

Senate File 2274

On motion of Senator Miller of Des Moines, Senate File 2274, a bill for an act to license operators of radiation emitting equipment, was taken up for consideration.

Senator Holden offered amendment S—5330 filed by him on March 9, 1984, to strike everything after the enacting clause of the bill.

Senator Holden offered amendment S—5369 filed by him on March 13, 1984, to amendment S—5330 and moved its adoption.

Amendment S—5369 was adopted by a voice vote.

Senator Holden moved the adoption of amendment S—5330 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 23, nays 24.

Amendment S—5330 lost.

Senator Holden offered amendment S—5433 filed by him on March 19, 1984, to pages 1 and 4 of the bill and moved its adoption.

Amendment S—5433 was adopted by a voice vote.

Senator Hall offered amendment S—5381 filed by him on March 13, 1984, to pages 2, 3 and 7 of the bill and moved its adoption.

Amendment S—5381 was adopted by a voice vote.

Senator Priebe offered amendment S—5402 filed by Senators Priebe, Tieden and Doyle on March 15, 1984, to page 3 of the bill.

Senator Priebe asked and received unanimous consent that further action on amendment S—5402 be deferred.

Senator Junkins asked and received unanimous consent that further action on amendment S—5402 and Senate File 2274 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2297.

Senate File 2297

On motion of Senator Gettings, Senate File 2297, a bill for an act relating to the payment of workers' compensation benefits in pneumoconiosis cases, was taken up for consideration.

Senator Jensen withdrew amendments S—5418 and S—5419 filed by him on March 16, 1984, to page 1 of the bill.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2297) the vote was:

Ayes, 41:

Anderson
Coleman
Doyle

Brown
Colton
Drake

Bruner
Deluhery
Gallagher

Carr
Dieleman
Gentleman

Gettings	Gratias	Hall	Holden
Holt	Horn	Hulse	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Tieden	Van Gilst	Waldstein	Wells
Welsh			

Nays, 6:

Briles	Goodwin	Hester	Jensen
Taylor	Vande Hoef		

Absent or not voting, 3:

Hultman	Lind	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.

Senator Junkins asked and received unanimous consent that Senate File 2297 be immediately messaged to the House.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2315.

Senate File 2315

On motion of Senator Carr, Senate File 2315, a bill for an act to allow the Iowa beer and liquor control department to establish by rule fines up to three thousand dollars to be levied against licensees and permittees for violations of the law, was taken up for consideration.

Senator Carr asked and received unanimous consent that further action on Senate File 2315 be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2330.

Senate File 2330

On motion of Senator Rodgers, Senate File 2330, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing a tax of one percent on gross investment income of insurance companies, and making certain provisions of the Act retroactive, with report of committee on Appropriations recommending passage, and report of committee on Finance recommending amendment and passage, was taken up for consideration.

Senator Holden withdrew amendment S—5462 filed by him on March 21, 1984, to page 7 of the bill.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Anderson presiding.

BUSINESS PENDING**Senate File 2330**

The Senate resumed consideration of Senate File 2330.

Senator Rodgers offered amendment S—5465 filed by the committee on Finance on March 21, 1984, to pages 3, 8, 13 through 15 and to the title page of the bill.

Senator Hultman called for a division of amendment S—5465:

Division S—5465A: Page 1, lines 2 through 18.

Division S—5465B: Page 2, lines 29 and 30.

Division S—5465C: Page 1, lines 19 through 50 and page 2, lines 1 through 28 and 31 through 43.

On motion of Senator Rodgers, divisions S—5465A and S—5465B were adopted by a voice vote.

Senator Rodgers moved the adoption of division S—5465C.

A record roll call was requested.

On the question "Shall division S—5465C be adopted?" (S.F. 2330) the vote was:

Ayes, 26:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Rodgers	Slater	Small
Van Gilst	Wells		

Nays, 18:

Drake	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hulse
Hultman	Jensen	Priebe	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 6:

Briles	Lind	Nystrom	Readinger
Schwengels	Welsh		

Division S—5465C was adopted.

With the adoption of division S—5465B, the Chair ruled amendment S—5474 filed by Senator Hultman from the floor to pages 14 and 15 of the bill, out of order.

Senator Holden offered amendment S—5471 filed by him from the floor to page 1 of the bill.

Senator Junkins raised the point of order that amendment S—5471 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5471 out of order.

Senator Hultman offered amendment S—5468 filed by him on March 21, 1984, to page 7 of the bill and moved its adoption.

Amendment S—5468 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that further action on **Senate File 2330** be **deferred**.

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 March 21, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 422, a bill for an act relating to joint exercise of powers by public agencies for public works and facilities.

This bill was read first time and **passed on file**.

House File 2466, a bill for an act relating to the definition of public accommodation and extending the time for bringing an action under the Iowa civil rights law.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:05 p.m., until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:20 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

President Anderson took the chair at 1:36 p.m.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2255.

Senate File 2255

On motion of Senator Gallagher, Senate File 2255, a bill for an act permitting a state bank, state savings and loan association, or a service corporation of a state bank or state savings and loan association to engage in real estate brokerage only to the same extent as federally-chartered banks and savings and loan associations, with report of committee on Commerce recommending passage, was taken up for consideration.

Senator Gallagher offered amendment S—5437 filed by him on March 19, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5437 was adopted by a voice vote.

Senator Husak offered amendment S—5456 filed by him on March 21, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5456 was adopted by a voice vote.

Senator Jensen asked and received unanimous consent that further action on Senate File 2255 be deferred.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	422	Commerce
H.F.	2445	State Government
H.F.	2466	Judiciary
H.F.	2482	Energy
H.F.	2501	Commerce

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

BUSINESS PENDING

Senate File 2330

The Senate resumed consideration of Senate File 2330, previously deferred.

Senator Holden offered amendment S—5470 filed by him from the floor to page 10 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5470 be adopted?" (S.F. 2330) the vote was:

Ayes, 19:

Briles	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Absent or not voting, 3:

Lind	Nystrom	Schwengels
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Amendment S—5470 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 2330

The Senate resumed consideration of Senate File 2330.

Senator Hultman offered amendment S—5466 filed by him on March 21, 1984, to pages 13 and 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5466 be adopted?" (S.F. 2330) the vote was:

Ayes, 19:

Briles	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Absent or not voting, 3:

Lind	Nystrom	Schwengels
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Amendment S—5466 lost.

Senator Holden withdrew amendment S—5477 filed by him from the floor to pages 13 and 14 of the bill.

Senator Gratias offered amendment S—5475 filed by Senators Gratias, Palmer and Rodgers 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—5475 be adopted?" (S.F. 2330) the vote was:

Ayes, 40:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Vande Hoef	Wells	Welsh

Nays, 5:

Dieleman	Gallagher	Jensen	Priebe
Van Gilst			

Absent or not voting, 5:

Lind	Nystrom	Schwengels	Tieden
Waldstein			

Amendment S—5475 was adopted.

With the adoption of amendment S—5475, the Chair ruled amendment S—5476 filed by Senator Priebe from the floor to page 13 of the bill, out of order:

Senator Holden offered amendment S—5463 filed by him on March 21, 1984, to page 14 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 28.

Amendment S—5463 lost.

Senator Hultman offered amendment S—5467 filed by him on March 21, 1984, to page 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5467 be adopted?" (S.F. 2330) the vote was:

Ayes, 18:

Briles	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Readinger
Rife	Ritsema	Soorholtz	Taylor
Vande Hoef	Waldstein		

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Absent or not voting, 4:

Lind	Nystrom	Schwengels	Tieden
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Amendment S—5467 lost.

Senator Gallagher withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which division S—5465A to Senate File 2330 was adopted by the Senate on March 22, 1984.

Senator Colton took the chair at 3:35 p.m.

President Anderson took the chair at 4:10 p.m.

Senator Rodgers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2330) the vote was:

Ayes, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Nays, 18:

Briles	Drake	Gentleman	Goodwin
Hester	Holden	Holt	Hulse
Hultman	Jensen	Readinger	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 4:

Gratias	Lind	Nystrom	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Junkins asked and received unanimous consent that Senate File 2330 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2279.

Senate File 2279

On motion of Senator Priebe, Senate File 2279, a bill for an act declaring a state of emergency and imposing a two year moratorium on the foreclosure of real estate mortgages, deeds of trust of real property, contracts for the purchase of real property, and operating loans and loans for personal property when the property is being used for farming or the operation of a small business, with report of committee on Commerce recommending amendment and passage, was taken up for consideration.

Senator Bruner asked and received unanimous consent that action on amendment S—5451 filed by the committee on Commerce on March 20, 1984, to page 1 of the bill be deferred.

Senator Bruner offered amendment S—5459 filed by him on March 21, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5459 was adopted by a voice vote.

Senator Hester offered amendment S—5485 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 7, nays 35, voting present 3.

Amendment S—5485 lost.

Senator Bruner offered amendment S—5458 filed by him on March 21, 1984, to page 1 of the bill and moved its adoption.

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 22, voting present 2.

Amendment S—5458 lost.

Senator Priebe offered amendment S—5486 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5486 was adopted by a voice vote.

With the adoption of amendment S—5486, the Chair ruled amendment S—5482 filed by Senator Priebe from the floor to page 1 of the bill, out of order.

Senator Bruner moved the adoption of amendment S—5451 to page 1 of the bill, previously deferred.

Amendment S—5451 was adopted by a voice vote.

With the adoption of amendment S—5451, the Chair ruled amendment S—5228 filed by Senator Priebe on March 5, 1984, to page 1 of the bill, out of order.

Senator Anderson offered amendment S—5488 filed by him from the floor to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5488 was adopted by a voice vote.

Senator Welsh withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5486 to Senate File 2279 was adopted by the Senate on March 22, 1984.

Senator Bruner asked and received unanimous consent that further action on **Senate File 2279** be deferred.

MOTION TO RECONSIDER WITHDRAWN

Senate File 489

Senator Hutchins withdrew the motion to reconsider Senate File 489, a bill for an act authorizing volunteer members of a volunteer search or rescue service agency to use blue flashing lights on their privately-owned motor vehicle, filed by him on March 19, 1984, and found on page 911 of the Senate Journal.

UNFINISHED BUSINESS (Deferred March 19, 1984)

Senate File 2296

The Senate resumed consideration of Senate File 2296, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases, deferred on March 19, 1984.

Senator Anderson offered amendment S—5472 filed by him from the floor to pages 5 through 9 of the bill and moved its adoption.

Amendment S—5472 was adopted by a voice vote.

Senator Anderson asked and received unanimous consent that **House File 2433** be substituted for **Senate File 2296**.

House File 2433

On motion of Senator Anderson, House File 2433, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases, was taken up for consideration.

Senator Anderson asked and received unanimous consent that further action on **House File 2433** be deferred.

Senator Anderson asked and received unanimous consent that **Senate File 2296** be withdrawn from further consideration of the Senate.

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

The Senate resumed session, Senator Doyle presiding.

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 March 22, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2427, a bill for an act relating to disclosure of the court's decision on whether to reconsider a felon's sentence of confinement.

This bill was read first time and referred to the committee on Judiciary.

APPENDIX

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 twenty-second day of March, 1984:

Senate File 2244.

K. MARIE THAYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE (Place Nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the character and qualifications of Steve Sovern, Marion, Linn County, Iowa, for reappointment as a member of the State Racing Commission under the provisions of Chapter 187, Section 5, Acts of the Seventieth General Assembly, for a term of three-years beginning May 1, 1984, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate chamber on March 22, 1984, when the vote was taken on amendment S—5330 to Senate File 2274.

Had I been present, I would have voted "nay".

ARTHUR A. SMALL, JR.

CERTIFICATES OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificates of recognition have been issued as follows:

The Des Moines Hoover Huskies—For placing third in the 1984 Iowa High School Girls' Basketball tournament. Senator Readinger. (March 10, 1984.)

The Des Moines Hoover Huskies—For placing third in the 1984 Iowa High School Boys' Basketball tournament. Senator Readinger. (March 17, 1984.)

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Kim D. Schmett be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

ARNE WALDSTEIN

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 21, 1984, 10:50 a.m.

- **Members Present:** Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member; Hulse and Mann.

Members Absent: none.

Recessed: 11:55 a.m.

Reconvened: 4:43 p.m.

Other Committee Business: Discussed amendments to proposed appropriations bill.

Adjourned: 5:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: March 21, 1984, 4:40 p.m.

Members Present: Husak, Chair; Colton, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Other Committee Business: Amended and approved LSB 3489H 70 as a committee bill.

Adjourned: 5:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 21, 1984, 8:30 a.m.

Members Present: Hall, Chair; Gallagher, Vice Chair; Vande Hoef, Ranking Member and Hester.

Members Absent: Priebe (excused.)

Other Committee Business: Discussed proposed budget.

Adjourned: 8:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: March 21, 1984, 10:35 a.m.

Members Present: Hall, Chair; Vande Hoef, Ranking Member and Hester.

Members Absent: Priebe and Gallagher.

Other Committee Business: Subcommittee approved proposed appropriations bills.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 21, 1984, 8:15 a.m.

Members Present: Wells, Chair; Goodwin, Ranking Member and Rodgers.

Members Absent: Brown, Vice Chair.

Other Committee Business: Decisions on the budget.

Adjourned: 8:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Convened: March 21, 1984, 10:50 a.m.

Members Present: Wells, Chair; Brown, Vice Chair; Goodwin, Ranking Member; Rodgers and Jensen.

Members Absent: none.

Other Committee Business: Decisions on the budget and approved proposed appropriations bill.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 21, 1984, 10:50 a.m.

Members Present: Dieleman, Chair; Deluhery, Vice Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: none.

Recessed: 12:00 noon.

Reconvened: 4:45 p.m.

Members Present: Dieleman, Chair; Schwengels, Ranking Member; C. Miller and Ritsema.

Members Absent: Deluhery, Vice Chair.

Other Committee Business: Approved proposed subcommittee Appropriations bill.

Adjourned: 7:15 p.m.

EDUCATION

Convened: March 22, 1984, 12:00 noon.

Members Present: Brown, Chair; Anderson, Vice Chair; Gratias, Ranking Member; Colton, Gallagher, Horn, Ritsema, Taylor and Wells.

Members Absent: Lind (excused.)

Final Bill Action: HOUSE FILE 2265, a bill for an act permitting certain teachers at the Iowa school for the deaf and Iowa braille and sight-saving school to be eligible for certain repayment criteria for loan programs.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Brown, Anderson, Gratias, Colton, Gallagher, Horn, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 12:03 p.m.

JUDICIARY

Convened: March 22, 1984, 5:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Briles and Gentleman.

Final Bill Action: HOUSE FILE 573, a bill for an act providing for the disposition of personal property in the possession of the department of public safety.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh. Nays, 1: Deluhery. Absent or not voting, 2: Briles and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2412, a bill for an act relating to informing defendants of an applicable mandatory minimum sentence.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Briles and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2423, a bill for an act establishing court jurisdiction over certain nonresidents in paternity and child support cases.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Briles and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Final Bill Action: HOUSE FILE 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Briles and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2487, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and eliminating governmental immunity for certain public improvements and places.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Goodwin, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Briles, Gentleman, Deluhery and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Recessed: 6:20 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joseph Spearing, M.D., Harlan, Iowa.

AMENDMENTS FILED

S-5469	H.F.	2306	Norman J. Goodwin
S-5470	S. F.	2330	Edgar H. Holden
S-5471	S. F.	2330	Edgar H. Holden
S-5472	S. F.	2296	Ted Anderson
S-5473	H.F.	2421	Edgar H. Holden
S-5474	S. F.	2330	Calvin O. Hultman
S-5475	S. F.	2330	Arthur L. Gratias
			William D. Palmer
			Norman G. Rodgers
S-5476	S. F.	2330	Berl E. Priebe
S-5477	S. F.	2330	Edgar H. Holden
S-5478	H.F.	2334	Donald V. Doyle
S-5479	S. F.	2274	Berl E. Priebe

S-5480	H.F.	2464	Arne Waldstein
			Berl E. Priebe
S-5481	S. F.	2258	Patrick J. Deluhery
			Donald V. Doyle
S-5482	S. F.	2279	Berl E. Priebe
S-5483	H.F.	434	Alvin V. Miller
			C.W. Bill Hutchins
S-5484	H.F.	2217	Education
S-5485	S. F.	2279	Jack W. Hester
S-5486	S. F.	2279	Berl E. Priebe
S-5487	H.F.	2436	Charles P. Miller
			Tom Slater
			Wally E. Horn
S-5488	S. F.	2279	Ted Anderson
S-5489	S. F.	2255	Edgar H. Holden
S-5490	S. F.	2255	Edgar H. Holden
S-5491	H.F.	2464	Emil J. Husak
S-5492	H.F.	2218	Richard F. Drake
S-5493	S. F.	2279	Charles Bruner
S-5494	H.F.	2219	Ray Taylor
S-5495	H.F.	2465	Patrick J. Deluhery

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Friday, March 23, 1984.

JOURNAL OF THE SENATE

985

SEVENTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 23, 1984

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

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

The Journal of Thursday, March 22, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Goodwin, Gentleman and Nystrom for the day on request of Senator Hultman and Senators Wells, Welsh and Anderson for the day on request of Senator Junkins.

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

The Senate resumed session, President Anderson presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2328.

Senate File 2328

On motion of Senator Kinley, Senate File 2328, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that

part-time and seasonal employees of the racing commission are not under the merit employment system, was taken up for consideration.

Senator Kinley asked and received unanimous consent that further action on **Senate File 2328** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order **Senate File 2281**.

Senate File 2281

On motion of Senator Miller of Des Moines, **Senate File 2281**, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5450 filed by him on March 20, 1984, to pages 6 through 8 of the bill and moved its adoption.

Amendment S—5450 was adopted by a voice vote.

Senator Miller of Des Moines asked and received unanimous consent that **House File 2437** be substituted for **Senate File 2281**.

House File 2437

On motion of Senator Miller of Des Moines, **House File 2437**, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty, was taken up for consideration.

Senator Miller of Des Moines asked and received unanimous consent that further action on **House File 2437** be deferred.

Senator Miller of Des Moines asked and received unanimous consent that **Senate File 2281** be withdrawn from further consideration of the Senate.

Senator Junkins asked and received unanimous consent to take up out of order **Senate File 2316**.

Senate File 2316

On motion of Senator Miller of Des Moines, Senate File 2316, a bill for an act relating to the licensure of dietitians and nutritionists, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5448 filed by him on March 20, 1984, to pages 1 through 5 of the bill and moved its adoption.

Amendment S—5448 was adopted by a voice vote.

Senator Miller of Des Moines asked and received unanimous consent that House File 2394 be substituted for Senate File 2316.

House File 2394

On motion of Senator Miller of Des Moines, House File 2394, a bill for an act relating to the licensure of dietitians and nutritionists, was taken up for consideration.

Senator Miller of Des Moines asked and received unanimous consent that further action on House File 2394 be deferred.

Senator Miller of Des Moines asked and received unanimous consent that Senate File 2316 be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred March 22, 1984)**Senate File 2279**

The Senate resumed consideration of Senate File 2279, a bill for an act declaring a state of emergency and imposing a two year moratorium on the foreclosure of real estate mortgages, deeds of trust of real property, contracts for the purchase of real property, and operating loans and loans for personal property when the property is being used for farming or the operation of a small business, deferred on March 22, 1984.

Senator Bruner offered amendment S—5493 filed by him on March 22, 1984, to page 1 of the bill.

Senator Priebe asked and received unanimous consent that Senate File 2279 be referred to the committee on Agriculture.

BILL RETURNED TO COMMITTEE

Senator Priebe asked and received unanimous consent that **Senate File 2199** be returned from the Unfinished Business Calendar to the committee on **Transportation**.

INTRODUCTION OF BILL

Senate File 2331, by Committee on Appropriations, a bill for an act relating to the lease of real and personal property and facilities for use in energy or telecommunications projects by a state board, department, agency, or authority and allowing lease-purchase agreements and security enhancement arrangements in connection with the leases.

Read first time and placed on the Appropriations Calendar.

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

The Senate resumed session, Senator Colton presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

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

The Senate resumed session, Senator Mann presiding.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 2062

Appropriations
Hall, Chair
Tieden
Schwengels

SENATE FILE 2307

Ways and Means
Small, Chair
Van Gilst
Dieleman
Readinger
Soorholtz

SENATE CONCURRENT
RESOLUTION 108

Transportation
Coleman, Chair
Drake
A. Miller

HOUSE FILE 509

Education
Anderson, Chair
Ritsema
Wells

HOUSE FILE 2008

Natural Resources
Gettings, Chair
Priebe
Rife

HOUSE FILE 2098

Natural Resources
Hall, Chair
Priebe
Hester

HOUSE FILE 2180

Transportation
Nystrom, Chair
Hall
Jensen

SENATE FILE 2134

Appropriations
Hall, Chair
Tieden
Schwengels

SENATE FILE 2321

Labor & Industrial Relations
Hutchins, Chair
Wells
Vande Hoef

HOUSE FILE 224

Local Government
Goodwin, Chair
Wells
Brown

HOUSE FILE 531

Natural Resources
Schwengels, Chair
Gettings
Hall

HOUSE FILE 2015

State Government
Welsh, Chair
Coleman
Rife

HOUSE FILE 2167

Agriculture
Vande Hoef, Chair
Van Gilst
Gallagher

HOUSE FILE 2183

Labor & Industrial Relations
Gettings, Chair
Colton
Hulse

HOUSE FILE 2209

Agriculture
Taylor, Chair
Gallagher
Waldstein

HOUSE FILE 2279

Local Government
Wells, Chair
Waldstein
Colton

HOUSE FILE 2354

Local Government
Mann, Chair
Brown
Goodwin

HOUSE FILE 2387

Natural Resources
Rife, Chair
Goodwin
Doyle

HOUSE FILE 2398

Transportation
Drake, Chair
Nystrom
Doyle

HOUSE FILE 2410

Commerce
Deluhery, Chair
Gallagher
Tieden

HOUSE FILE 2415

Commerce
Priebe, Chair
Holden
Bruner

HOUSE FILE 2436

Human Resources
Horn, Chair
Hall
Soorholtz

HOUSE FILE 2243

Energy
Hulse, Chair
Hultman
Gallagher

HOUSE FILE 2332

Human Resources
Mann, Chair
Gentleman
Ritsema
Horn
Slater

HOUSE FILE 2369

Agriculture
Husak, Chair
Priebe
Hester

HOUSE FILE 2392

Judiciary
Mann, Chair
Horn
Drake

HOUSE FILE 2407

Natural Resources
Rodgers, Chair
Doyle
Rife

HOUSE FILE 2412

Judiciary
Mann, Chair
Ritsema
Doyle

HOUSE FILE 2416

Labor & Industrial Relations
Hutchins, Chair
Wells
Vande Hoef

HOUSE FILE 2438

Education
Gratias, Chair
Taylor
Gallagher

HOUSE FILE 2443

Judiciary
Small, Chair
Mann
Ritsema

HOUSE FILE 2447

Human Resources
Slater, Chair
C. Miller
Briles

HOUSE FILE 2458

Education
Gratias, Chair
Colton
Brown

HOUSE FILE 2463

Judiciary
Ritsema, Chair
Coleman
Dieleman

HOUSE FILE 2468

State Government
Slater, Chair
Drake
Welsh

HOUSE FILE 2471

Energy
Colton, Chair
Rife
C. Miller
Gallagher
Hultman

HOUSE FILE 2474

Judiciary
Mann, Chair
Ritsema
Small

HOUSE FILE 2480

Judiciary
Drake, Chair
Dieleman
Small

HOUSE FILE 2446

Agriculture
Husak, Chair
Van Gilst
Taylor

HOUSE FILE 2457

Human Resources
Mann, Chair
Carr
Gratias

HOUSE FILE 2459

Judiciary
Mann, Chair
Ritsema
Small

HOUSE FILE 2464

Commerce
Jensen, Chair
Bruner
Gallagher

HOUSE FILE 2470

Judiciary
Mann, Chair
Small
Ritsema

HOUSE FILE 2472

State Government
Carr, Chair
Slater
Briles

HOUSE FILE 2478

Local Government
Waldstein, Chair
C. Miller
Mann

HOUSE FILE 2484

Judiciary
Ritsema, Chair
Deluhery
Welsh

HOUSE FILE 2486

Judiciary
Doyle, Chair
Mann
Ritsema
Briles
Coleman
Deluhery
Dieleman
Drake
Gentleman
Goodwin
Holt
Horn
Small
Welsh

HOUSE FILE 2492

Agriculture
Taylor, Chair
Vande Hoef
Husak

HOUSE FILE 2499

Agriculture
A. Miller, Chair
Hutchins
Taylor

HOUSE FILE 2502

Labor & Industrial Relations
Hutchins, Chair
Slater
Vande Hoef

SSB 2250

Ways and Means
Rodgers, Chair
Carr
Deluhery
Gratias
Hester

HOUSE FILE 2489

Judiciary
Mann, Chair
Ritsema
Doyle

HOUSE FILE 2497

Agriculture
Vande Hoef, Chair
Van Gilst
Hutchins

HOUSE FILE 2500

Commerce
Bruner, Chair
Priebe
Nystrom

**HOUSE CONCURRENT
RESOLUTION 107**

Natural Resources
Hester, Chair
Gettings
Rife

**FURTHER
REPORTS OF COMMITTEE MEETINGS**

APPROPRIATIONS*

*A previous report of this meeting was recorded on pages 949-950 of the Senate Journal.

Final Bill Action: SENATE FILE 2331 (SSB 2249), a bill for an act relating to the lease of real and personal property and facilities for use in energy or telecommunications projects by a state board, department, agency, or authority and allowing lease-purchase agreements and security enhancement arrangements in connection with the leases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Small, Palmer, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Holt, Horn, Husak, Readinger, Waldstein and Wells. Nays, none. Absent or not voting, 4: Hall, Lind, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on pages 982-983 of the Senate Journal.

Final Bill Action: HOUSE FILE 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5501.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 2: Briles and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATES OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificates of recognition have been issued as follows:

The Denver Cyclones Boys Basketball Team—For placing first in the 1984 Iowa High School Boys' Basketball Tournament. Senator Jensen. (March 17, 1984.)

The Denver Cyclones Boys Basketball Team—For receiving the first place Sportsmanship Award in the 1984 Boys' State Basketball Tournament. Senator Jensen. (March 17, 1984.)

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5369 to amendment S—5330 to Senate File 2274 was adopted by the Senate on March 22, 1984.

HURLEY W. HALL

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5330 to Senate File 2274 failed to be adopted by the Senate on March 22, 1984.

HURLEY W. HALL

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 60, the following Senators were appointed to subcommittees of standing committees:

EDUCATION: As a member of the Iowa Higher Education Loan Authority:

IRVING R. BURLING
Brown, Chair
Gratias
Colton

EDUCATION: As members of the State Board of Public Instruction:

WESLEY S. CHAPMAN
STEPHEN C. GERARD
KAREN K. GOODENOW
Brown, Chair
Gratias
Colton

REPORTS OF STANDING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Small Business & Economic Development assigned to investigate the character and qualifications of Cloyd E. Robinson, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa High Technology Council under the provisions of Chapter 207, Section 35, Acts of the Seventieth General Assembly, 1983 Regular Session, for a term beginning immediately and ending April 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
& ECONOMIC DEVELOPMENT**
EMIL J. HUSAK, Chair

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the character and qualifications of Arlene H. Dayhoff of Cedar Rapids, Linn County, Iowa, for reappointment as a member of the Commission for the Blind under the provisions of 601B.1, 1983 Code of Iowa, for a term beginning May 1, 1984, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON STATE GOVERNMENT
TOM SLATER, Chair

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the character and qualifications of Dale R. Henning, Decorah, Winneshiek County, Iowa, and Nance A. McMinimee, Denison, Crawford County, Iowa, for reappointment as members of the State Historical Board under the provisions of Section 303.1, 1983 Code of Iowa, for terms beginning May 1, 1984, and ending April 30, 1987, begs leave to report it has made investigation and recommends the appointments be confirmed.

COMMITTEE ON STATE GOVERNMENT
TOM SLATER, Chair

Pursuant to Senate Rule 60, the Committee on Transportation assigned to investigate the character and qualifications of Delmar Van Horn, Jefferson, Greene County, Iowa, for reappointment as a member of the State Transportation Commission under the provisions of Section 307.3, 1983 Code of Iowa, for a term beginning May 1, 1984, and ending April 30, 1988, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
C. JOSEPH COLEMAN, Chair

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 23, 1984, 9:28 a.m.

Members Present: Priebe, Chair; Van Gilst, Vice Chair; Hester, Ranking Member; Gallagher, Husak (arrived 9:33 a.m.), Hutchins (arrived 9:33 a.m.), A. Miller, Taylor, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: HOUSE FILE 2167, a bill for an act relating to the cost of permanent soil and water conservation practices constructed under administrative order with public cost-sharing funds.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, Van Gilst, Hester, Gallagher, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2209, a bill for an act requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Priebe, Van Gilst, Hester, Gallagher, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Husak and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 9:59 a.m.

COMMERCE

Convened: March 23, 1984, 8:06 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Gallagher, Holden, Palmer and Tieden.

Members Absent: Nystrom (excused.)

Final Bill Action: HOUSE FILE 2065, a bill for an act limiting gas or electric service deposits.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Palmer and Tieden. Nays, 1: Holden. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2068, a bill for an act requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentages which are to be charged to the stockholders.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Kinley, Priebe, Bruner, Deluhery, Palmer and Tieden. Nays, 3: Jensen, Gallagher and Holden. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2500, a bill for an act to establish a farm mortgage interest loan program to be administered by the family farm development authority to provide no-interest loans to farmers for the period of one year to assist farmers in paying the interest costs of farm mortgage loans.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Kinley, Priebe, Bruner, Deluhery, Gallagher, Palmer and Tieden. Nays, 2: Jensen and Holden. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:34 a.m.

COMMERCE

Convened: March 23, 1984, 11:53 a.m.

Members Present: Kinley, Chair; Priebe, Vice Chair; Jensen, Ranking Member; Bruner, Deluhery, Gallagher, Holden, Palmer and Tieden.

Members Absent: Nystrom (excused).

Final Bill Action: HOUSE FILE 2501, a bill for an act relating to the supervision, rehabilitation, and liquidation of insurance companies and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Holden, Palmer and Tieden. Nays, none. Absent or not voting, 1: Nystrom (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 12:35 p.m.

HUMAN RESOURCES

Convened: March 23, 1984, 11:50 a.m.

Members Present: Carr, Chair; C. Miller, Vice Chair; Coleman, Horn, Mann, Ritsema, Slater and Soorholtz.

Members Absent: Gentleman, Ranking Member (excused); Briles, Gratias and Hall.

Final Bill Action: HOUSE FILE 2430, a bill for an act relating to the selection and operation of foster care review committees under the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, C. Miller, Coleman, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 4: Gentleman, Briles, Gratias and Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2457, a bill for an act relating to guardianships and conservatorships by redefining what persons are subject to guardianships and conservatorships, providing that certain proposed wards are entitled to representation, revising provisions governing the powers and duties of guardians and conservators, including requirements for reporting, and eliminating special provisions for guardians of mentally retarded persons.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, C. Miller, Coleman, Horn, Mann, Ritsema, Slater and Soorholtz. Nays, none. Absent or not voting, 4: Gentleman, Briles, Gratias and Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 12:00 noon.

JUDICIARY

Convened: March 23, 1984, 12:00 noon.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Coleman, Deluhery Dieleman, Drake, Holt, Horn and Small.

Members Absent: Goodwin, Gentleman and Welsh (all excused.) and Briles.

Final Bill Action: HOUSE FILE 2417, a bill for an act relating to the inspection of jails and municipal holding facilities by the Iowa department of corrections.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Briles, Deluhery, Gentleman, Goodwin and Welsh.

Fiscal Note: NOT REQUIRED UNER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2427, a bill for an act relating to disclosure of the court's decision on whether to reconsider a felon's sentence of confinement.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Briles, Deluhery, Gentleman, Goodwin and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2466, a bill for an act relating to the definition of public accommodation under the Iowa civil rights law.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Briles, Deluhery, Gentleman, Goodwin and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2467, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain child support debts.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Briles, Deluhery, Gentleman, Goodwin and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2474, a bill for an act relating to the form of probate inventory.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Briles, Deluhery, Gentleman, Goodwin and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:12 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 22, 1984, 5:30 p.m.

Members Present: Anderson, Chair; Slater, Vice Chair; Hulse, Ranking Member; Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells.

Members Absent: none.

Final Bill Action: HOUSE FILE 2183, a bill for an act relating to the regulation of business entities and workers engaging in the removal or encapsulation of asbestos and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5497.

Final Vote: Ayes, 10: Anderson, Slater, Hulse, Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2416, a bill for an act relating to employee continuation rights under an employer-provided health benefit plan and to employer liability for breaking an agreement to provide a health benefit plan for employees.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Anderson, Slater, Hulse, Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2502, a bill for an act relating to material lift elevators.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Anderson, Slater, Hulse, Colton, Gettings, Hultman, Hutchins, Jensen, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Recommended Governor's appointees to the En Bloc Confirmation Calendar; H.F. 426 failed recommendation for passage.

Adjourned: 5:45 p.m.

LOCAL GOVERNMENT

Convened: March 23, 1984, 8:02 a.m.

Members Present: A. Miller, Chair; Briles, Ranking Member; Brown (arrived 8:07 a.m.), Colton, Mann, C. Miller, Vande Hoef and Waldstein.

Members Absent: Wells, Vice Chair and Goodwin (both excused.)

Final Bill Action: HOUSE FILE 224, a bill for an act relating to the listing of dogs and collection of license fees by the assessor.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Briles, Brown, Colton, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Wells and Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2187, a bill for an act to increase the filing or recording fee collected by the county recorder.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Briles, Colton, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Brown, Wells and Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2194, a bill for an act relating to the reporting of receipts by the county treasurer.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Briles, Colton, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Brown, Wells and Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2354, a bill for an act relating to the purchase of equipment and supplies by the board of trustees of a county public hospital.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Briles, Brown, Colton, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Wells and Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2478, a bill for an act relating to the administration of special assessments and other property tax laws.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5499.

Final Vote: Ayes, 8: A. Miller, Briles, Brown, Colton, Mann, C. Miller, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Wells and Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Reassigned Senate File 2234 to subcommittee.

Adjourned: 8:25 a.m.

NATURAL RESOURCES

Convened: March 23, 1984, 10:24 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Doyle, Gettings, Hall, Hester and Rife (arrived 10:25 a.m.).

Members Absent: Schwengels, Ranking Member (excused); Goodwin (excused) and Priebe.

Final Bill Action: HOUSE CONCURRENT RESOLUTION 107, a resolution urging the executive council and historical department to accept the Matthew Edel property.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Van Gilst, Rodgers, Doyle, Gettings, Hall, Hester and Rife. Nays, none. Absent or not voting, 3: Schwengels, Goodwin and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2048, a bill for an act relating to conservation easements.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Van Gilst, Rodgers, Doyle, Gettings, Hall, Hester and Rife. Nays, none. Absent or not voting, 3: Schwengels, Goodwin and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 10:38 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: March 22, 1984, 5:05 p.m.

Members Present: Husak, Chair; Doyle, Vice Chair; Taylor, Ranking Member; Anderson, Hulse, Mann, A. Miller, Readinger and Rodgers.

Members Absent: Lind (excused), Gratias and Hutchins.

Other Committee Business: Recommended confirmation of Governor's appointee to the En Bloc Confirmation Calendar.

Adjourned: 5:08 p.m.

STATE GOVERNMENT

Convened: March 22, 1984, 5:05 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member and Schwengels (both excused) and Briles.

Final Bill Action: HOUSE FILE 2440, a bill for an act relating to the Iowa veterans home and its administration.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Slater, Carr, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Nystrom, Schwengels and Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 5:30 p.m.

STATE GOVERNMENT

Convened: March 23, 1984, 11:05 a.m.

Members Present: Slater, Chair; Carr, Vice Chair; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife and Soorholtz.

Members Absent: Nystrom, Ranking Member; Schwengels and Welsh (all excused.)

Final Bill Action: HOUSE FILE 2015, a bill for an act relating to the holding of games of skills, chance, and raffles including bingo and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife and Soorholtz. Nays, none. Absent or not voting, 3: Nystrom, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2468, a bill for an act relating to the election laws by providing a method of challenging nomination petitions, eliminating the requirement for notarization of absentee ballots, allowing the mailing of certain absentee ballots, regulating the office hours of the county commissioner of elections, revising delivery of registration forms and changes in registration, requiring identification of political advertisers, providing for assistance to certain voters and making certain technical corrections to the voting laws and providing penalties and effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5504.

Final Vote: Ayes, 11: Slater, Carr, Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife and Soorholtz. Nays, none. Absent or not voting, 3: Nystrom, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Recommended confirmation of Governor's appointees to the En Bloc Confirmation Calendar.

Adjourned: 11:45 a.m.

TRANSPORTATION

Convened: March 23, 1984, 10:35 a.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Drake, Ranking Member; Doyle, Hall, Jensen and Priebe.

Members Absent: Lind, Nystrom and Welsh (all excused.)

Final Bill Action: HOUSE FILE 2180, a bill for an act relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, allowing a county treasurer to issue, under certain circumstances, a restricted certificate of title to a person who was issued a junking certificate, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Coleman, A. Miller, Drake, Doyle, Hall and Jensen. Nays, none. Absent or not voting, 4: Priebe, Lind, Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2339, a bill for an act relating to roads by providing that the use of new roads not officially opened to traffic is prohibited, by specifying the authority of peace officers on these roads, by limiting liability of the highway authority having jurisdiction over these roads for claims arising out of unauthorized use of the roads, and by providing penalties for violations.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Coleman, A. Miller, Doyle, Hall, Jensen and Priebe. Nays, none. Absent or not voting, 4: Drake, Lind, Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Recommendation confirmation of Delmar Van Horn to State Transportation Commission and placed on En Bloc Confirmation Calendar; House File 507 failed recommendation for passage.

Adjourned: 10:45 a.m.

PRESENTATION OF VISITORS

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

Twenty-eight students from Mar-Mac Elementary Schools from McGregor and Marquette, Iowa, accompanied by James Elliott, Ron Vick, Kaye Kautman, Jane Deets, Sandy McMillim and Rita Lange. Senator Tieden.

AMENDMENTS FILED

S-5496	H.F.	2394	Edgar H. Holden
S-5497	H.F.	2183	Labor & Industrial Relations
S-5498	H.F.	625	William W. (Bill) Dieleman
S-5499	H.F.	2478	Local Government
S-5500	H.F.	2274	Berl E. Priebe
S-5501	H.F.	2439	Judiciary
S-5502	H.F.	2068	Edgar H. Holden
S-5503	H.F.	2491	Edgar H. Holden
S-5504	H.F.	2468	State Government
S-5505	H.F.	2467	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 1:30 p.m., until 10:00 a.m., Monday, March 26, 1984.

JOURNAL OF THE SENATE

SEVENTH-EIGHTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 26, 1984

The Senate met in regular session at 10:17 a.m., President Anderson presiding.

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

The Journal of Friday, March 23, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hultman, Hester, Nystrom and Schwengels for the morning session on request of Senator Holden.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 476

Senator Anderson withdrew the motion to reconsider Senate File 476, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, filed by him on January 16, 1984, and found on page 125 of the Senate Journal.

Senate File 2236

Senator Priebe withdrew the motion of reconsider Senate File 2236, a bill for an act relating to the authority of the Iowa law enforcement academy director and the law enforcement academy council to establish standards of professional conduct and to enforce the standards and requirements, filed by him on March 12, 1984, and found on page 781 of the Senate Journal.

Senate File 2240

Senator Miller of Des Moines withdrew the motion to reconsider Senate File 2240, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date, filed by him on March 16, 1984, and found on page 863 of the Senate Journal.

Senate File 2309

Senator Miller of Des Moines withdrew the motion to reconsider Senate File 2309, a bill for an act relating to the educational requirements of registered professional engineers and registered land surveyors, filed by him on March 19, 1984, and found on page 916 of the Senate Journal.

BILLS RETURNED TO COMMITTEE

Senator Junkins asked and received unanimous consent that the following bills be returned from the Unfinished Business, Regular and Noncontroversial Calendars to committee:

S. F.	301	Labor & Industrial Relations
S. F.	2081	State Government
S. F.	2164	State Government
S. F.	2181	Local Government
S. F.	2255	Small Business & Economic Development
S. F.	2260	Local Government
S. F.	2274	State Government
S. F.	2275	State Government
S. F.	2302	Judiciary
S. F.	2303	Judiciary
S. F.	2315	State Government

**CONSIDERATION OF BILLS
(Noncontroversial Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order House File 4.

House File 4

On motion of Senator Waldstein, House File 4, a bill for an act relating to the definition of a parcel of land in relation to fees charged by county auditors for transfers made in the transfer books, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Waldstein offered amendment S—5151 filed by the committee on Local Government on February 23, 1984, to page 1 of the bill.

Senator Waldstein offered amendment S—5309 filed by Senators Waldstein and Miller of Cerro Gordo on March 8, 1984, to amendment S—5151 and moved its adoption.

Amendment S—5309 was adopted by a voice vote.

Senator Waldstein moved the adoption of amendment S—5151 as amended, which motion prevailed by a voice vote.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 4) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Hultman	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.

House File 245

On motion of Senator Doyle, House File 245, a bill for an act relating to the time by which a court shall set out the amount of restitution in a criminal case, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 245) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Hultman	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.

House File 540

On motion of Senator Colton, House File 540, a bill for an act relating to chapter 91A, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 10:56 a.m.

Senator Colton offered amendment S—5440 filed by Senators Colton and Hutchins on March 19, 1984, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5440 was adopted by a voice vote.

With the adoption of amendment S—5440, the Chair ruled the following amendments out of order:

S—5354 filed by Senator Hutchins on March 13, 1984, to page 2 of the bill.

S—5412 filed by Senator Hutchins on March 15, 1984, to pages 1 and 2 of the bill.

S—5436 filed by Senators Colton and Hutchins on March 19, 1984, to pages 1 and 2 of the bill.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 540) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hester	Hultman	Nystrom	Palmer
Schwengels			

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

Senator Junkins asked and received unanimous consent to take up out of order House File 205.

House File 205

On motion of Senator Mann, House File 205, a bill for an act relating to the eligibility of property owners to protest changes in zoning districts, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 205) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Hultman	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.

Senator Junkins asked and received unanimous consent to take up out of order House File 80.

House File 80

On motion of Senator Waldstein, House File 80, a bill for an act relating to eligibility to serve on the board of trustees of a levee or drainage district, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 80) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Hoft	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Hultman	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.

House File 425

On motion of Senator Miller of Des Moines, House File 425, a bill for an act relating to the official title of the chief executive officer of a county conservation board and the compensation of its officers and employees, 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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 425) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Slater
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Gallagher	Hester	Hultman	Nystrom
Schwengels	Small		

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

House File 489

On motion of Senator Tieden, House File 489, a bill for an act relating to membership on the interagency coordinating council on radiation safety, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5375 filed by the committee on Energy on March 13, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5375 was adopted by a voice vote.

Senator Tieden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 489) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery

Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A. V.	Miller, C. P.	Palmer	Priebe
Readinger	Rife	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 2:

Gentleman Ritsema

Absent or not voting, 3:

Hester Nystrom Schwengels

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

House File 2067

On motion of Senator Gettings, House File 2067, a bill for an act establishing an age limit for participants in amateur boxing, with report of committee recommending passage, was taken up for consideration.

Senator Gettings offered amendment S—5461 filed by him on March 21, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5461 was adopted by a voice vote.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2067) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann

Miller, A.V.
Readinger
Small
Vande Hoef
Welsh

Miller, C.P.
Rife
Soorholtz
Van Gilst

Palmer
Rodgers
Taylor
Waldstein

Priebe
Slater
Tieden
Wells

Nays, 1:

Ritsema

Absent or not voting, 4:

Hester

Hultman

Nystrom

Schwengels

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

House File 2071

On motion of Senator Doyle, House File 2071, a bill for an act to provide for the transportation commission to submit the results of the quadrennial need study to the general assembly by January 1 of the year in which the quadrennial need study becomes effective, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2071) the vote was:

Ayes, 46:

Anderson
Carr
Dieleman
Gettings
Holden
Hultman
Junkins
Miller, A.V.
Readinger
Slater
Tieden
Wells

Briles
Coleman
Doyle
Goodwin
Holt
Husak
Kinley
Miller, C.P.
Rife
Small
Vande Hoef
Welsh

Brown
Colton
Drake
Gratias
Horn
Hutchins
Lind
Palmer
Ritsema
Soorholtz
Van Gilst

Bruner
Deluhery
Gentleman
Hall
Hulse
Jensen
Mann
Priebe
Rodgers
Taylor
Waldstein

Nays, none.

Absent or not voting, 4:

Gallagher

Hester

Nystrom

Schwengels

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

House File 2126

On motion of Senator Gettings, House File 2126, a bill for an act relating to the membership of legislative visitation committees, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2126) the vote was:

Ayes, 47:

Anderson

Briles

Brown

Bruner

Carr

Coleman

Colton

Deluhery

Dieleman

Doyle

Drake

Gallagher

Gentleman

Gettings

Goodwin

Gratias

Hall

Holden

Holt

Horn

Hulse

Hultman

Husak

Hutchins

Jensen

Junkins

Kinley

Lind

Mann

Miller, A.V.

Miller, C.P.

Palmer

Priebe

Readinger

Rife

Ritsema

Rodgers

Slater

Small

Soorholtz

Taylor

Tieden

Vande Hoef

Van Gilst

Waldstein

Wells

Welsh

Nays, none.

Absent or not voting, 3:

Hester

Nystrom

Schwengels

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

House File 2212

On motion of Senator Miller of Cerro Gordo, House File 2212, a bill for an act to provide for the placement of validation stickers on

only the rear registration plate for certain motor vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on **House File 2212** be deferred.

House File 2379

On motion of Senator Horn, House File 2379, a bill for an act extending the dates for application and approval of community mental health and mental retardation funding, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2379) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senator Junkins asked and received unanimous consent to take up out of order House File 591.

House File 591

On motion of Senator Slater, House File 591, a bill for an act prohibiting the general assembly from passing any bill that uses gender as the basis for differential treatment, with report of committee recommending passage, was taken up for consideration.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 591) the vote was:

Ayes, 37:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Hall	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rife
Rodgers	Slater	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, 10:

Goodwin	Gratias	Holden	Holt
Hulse	Jensen	Readinger	Ritsema
Small	Waldstein		

Absent or not voting, 3:

Hester	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.

House File 2454

On motion of Senator Slater, House File 2454, a bill for an act relating to the filing of a list of unpaid obligations by state agencies with the state comptroller, with report of committee recommending passage, was taken up for consideration.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2454) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hester	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.

House File 2485

On motion of Senator Bruner, House File 2485, a bill for an act relating to the management of state government forms, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2485) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann

Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Hester	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.

House File 2111

On motion of Senator Miller of Cerro Gordo, House File 2111, a bill for an act authorizing cities to issue revenue bonds or pledge orders to refund general obligation bonds if they were issued or the proceeds were expended for certain city projects, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2111) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Delahery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Hester	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.

House File 2389

On motion of Senator Wells, House File 2389, a bill for an act relating to the interest of an elected city officer or employee in contracts for the purchase of goods and services by a city, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wells offered amendment S—5428 filed by the committee on Local Government on March 16, 1984, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5428 was adopted by a voice vote.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2389) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	DeJuhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Hester	Nystrom	Schwengels
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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.

House File 2404

On motion of Senator Bruner, House File 2404, a bill for an act relating to the definition of telephone companies not generally subject to rate regulation, with report of committee recommending passage, was taken up for consideration.

Senator Rife took the chair at 11:58 a.m.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2404) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Hester	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.

HOUSE AMENDMENT CONSIDERED**Senate File 2160**

Senator Wells called up for consideration Senate File 2160, a bill for an act to provide a preference for residents in awarding of public contracts in certain situations, amended by the House in House amendment S-5443 filed March 19, 1984.

Senator Wells offered amendment S—5510 filed by Senators Wells, Hulse and Anderson from the floor to House amendment S—5443 and moved its adoption.

Amendment S—5510 was adopted by a voice vote.

Senator Wells moved that the Senate concur in House amendment S—5443 as amended, which motion prevailed by a voice vote.

Senator Wells moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2160) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratjas	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Hester	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.

Senator Junkins asked and received unanimous consent that Senate File 2160 be immediately messaged to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Resolution 107.

Senate Resolution 107

On motion of Senator Taylor, Senate Resolution 107, a resolution calling for the United States Congress to enact into law the Agricultural Producers Antitrust Access Act, was taken up for consideration.

Senator Holden asked and received unanimous consent that further action on **Senate Resolution 107** be deferred.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:12 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., Senator Soorholtz presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the afternoon session on request of Senator Hultman.

BILLS REFERRED TO COMMITTEE

The Chair announced that the following bills were referred from the Regular Calendar to committee:

H.F.	2391	Finance
H.F.	2467	Finance
H.F.	2499	Ways and Means

CONSIDERATION OF BILLS (Noncontroversial Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 456.

House File 456

On motion of Senator Brown, House File 456, a bill for an act relating to expenditures for a local, nonprofit historical society or municipally-owned historical projects, with report of committee recommending passage, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 456) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 2:

Holden Taylor

Absent or not voting, 3:

Gallagher Hester Schwengels

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

Senator Coleman took the chair at 1:51 p.m.

Senator Junkins asked and received unanimous consent to take up out of order House File 2234.

House File 2234

On motion of Senator Nystrom, House File 2234, a bill for an act requiring repair or replacement of a new motor vehicle which does not conform to express warranties, with report of committee recommending passage, was taken up for consideration.

Senator Slater asked and received unanimous consent that further action on **House File 2234** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2284.

House File 2284

On motion of Senator Small, House File 2284, a bill for an act relating to agreements for indemnification by the state in the event of loss of or damage to certain art objects and artifacts borrowed by nonprofit organizations or governmental entities for special exhibits, with report of committee recommending passage, was taken up for consideration.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2284) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gallagher

Hester

Tieden

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

House File 2301

On motion of Senator Rife, House File 2301, a bill for an act relating to transferring responsibility for issuing commercial licenses and permits for the sale, use, purchase, possession and transportation, reporting of theft or loss, and regulation of disposal of explosives, to the state fire marshal, and the sale, possession, or use of the explosive nitroglycerin, providing a penalty, and transferring the responsibility for the inspection of explosive storage facilities from county sheriffs to the state fire marshal while reducing the number of inspections per year, with report of committee recommending passage, was taken up for consideration.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2301) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester

Vande Hoef

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

House File 2323

On motion of Senator Waldstein, House File 2323, a bill for an act relating to the payment of special assessments of drainage districts, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2323) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Vande Hoef

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

House File 2378

On motion of Senator Ritsema, House File 2378, a bill for an act relating to the board of parole, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2378) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Vande Hoef

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

House File 2398

On motion of Senator Drake, House File 2398, a bill for an act allowing a maximum set-aside of ten percent of the total dollar amount of federal aid highway construction contracts let by the state department of transportation for bidding by prequalified disadvantaged business enterprises, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Drake offered amendment S—5454 filed by the committee on Transportation on March 20, 1984, to page 2 and to the title page of the bill and moved its adoption.

Amendment S—5454 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2398) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Waldstein

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

House File 2405

On motion of Senator Holden, House File 2405, a bill for an act relating to the annual meetings of shareholders and the loans to officers of state banks, with report of committee recommending passage, was taken up for consideration.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2405) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife

Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Hester

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

House File 2438

On motion of Senator Gratias, House File 2438, a bill for an act relating to the repayment of loans made under the science and mathematics loan program, with report of committee recommending passage, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2438) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Hester

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

House File 2409

On motion of Senator Bruner, House File 2409, a bill for an act removing the priority of a mortgage given by the trustees of a cooperative housing association over any mortgage, lien, or encumbrance against an individual apartment or room or the owner's interest in an individual apartment or room, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2409) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Jensen

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2267.

House File 2267

On motion of Senator Mann, House File 2267, a bill for an act relating to the waiver of presentence investigations for class "B",

"C", and "D" felonies, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2267) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Hester

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

BUSINESS PENDING

House File 2212

The Senate resumed consideration of House File 2212, previously deferred.

Senator Hultman offered amendment S—5519 filed by him from the floor to page 1 and to the title page of the bill.

Senator Drake raised the point of order that amendment S—5519 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5519 out of order.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2212) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Schwengels

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

CONSIDERATION OF BILL (Noncontroversial Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2274.

House File 2274

On motion of Senator Priebe, House File 2274, a bill for an act relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return, with report of committee recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—5500 filed by him on March 23, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5500 was adopted by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2274) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Tieden
Van Gilst	Waldstein	Wells	Welsh

Nays, 4:

Holden	Ritsema	Taylor	Vande Hoef
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Absent or not voting, 2:

Hester	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.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2274 passed the Senate on March 26, 1984.

CALVIN O. HULTMAN

BUSINESS PENDING

House File 2234

The Senate resumed consideration of House File 2234, previously deferred.

Senator Slater offered amendment S—5522 filed by Senators Slater and Nystrom from the floor to page 3 of the bill and moved its adoption.

Amendment S—5522 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2234) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Canneman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Voting present, 1:

Holt

Absent or not voting, 2:

Hester Schwengels

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 Junkins asked and received unanimous consent to take up out of order House File 2172.

House File 2172

On motion of Senator Wells, House File 2172, a bill for an act relating to the surety bond required for an employment agency license, with report of committee recommending passage, was taken up for consideration.

Senator Wells offered amendment S—5251 filed by Senators Wells, Hutchins and Jensen on March 6, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5251 was adopted by a voice vote.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2172) the vote was:

Ayes, 35:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Hall	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rife	Rodgers
Slater	Small	Soorholtz	Taylor
Van Gilst	Wells	Welsh	

Nays, 12:

Briles	Gentleman	Gratias	Holden
Hulse	Hultman	Lind	Readinger
Ritsema	Tieden	Vande Hoef	Waldstein

Absent or not voting, 3:

Gallagher	Hester	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.

Senator Junkins asked and received unanimous consent to take up for consideration House File 2457.

House File 2457

On motion of Senator Mann, House File 2457, a bill for an act relating to guardianships and conservatorships by redefining what persons are subject to guardianships and conservatorships, providing that certain proposed wards are entitled to representation, revising provisions governing the powers and duties of guardians and conservators, including requirements for reporting, and eliminating special provisions for guardians of mentally retarded persons, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2457) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Schwengels

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

Senator Junkins asked and received unanimous consent to take up for consideration House File 2502.

House File 2502

On motion of Senator Hutchins, House File 2502, a bill for an act relating to material lift elevators, with report of committee

recommending passage, was taken up for consideration.

Senator Hutchins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2502) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hester	Junkins	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.

Senator Junkins asked and received unanimous consent to take up out of order House File 2272.

House File 2272

On motion of Senator Drake, House File 2272, a bill for an act to authorize certain motor trucks and motor homes to tow a four-wheeled trailer with a steering axle and more than one trailer or semitrailer or both, subject to penalties provided by law, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Drake offered amendment S—5455 filed by the committee on Transportation on March 20, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5455 was adopted by a voice vote.

Senator Gallagher asked and received unanimous consent that further action on House File 2272 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2396.

House File 2396

On motion of Senator Horn, House File 2396, a bill for an act relating to the exemption of law enforcement officials from the licensing requirements for private detectives, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2396) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Schwengels

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2421.

House File 2421

On motion of Senator Rodgers, House File 2421, a bill for an act relating to the collection, transportation, storage, and disposal of solid waste, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5473 filed by him on March 22, 1984, to page 3 of the bill.

Senator Gallagher raised the point of order that amendment S—5473 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5473 out of order.

Senator Rodgers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2421) the vote was:

Ayes, 42:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 6:

Briles	Holden	Holt	Hulse
Hultman	Jensen		

Absent or not voting, 2:

Hester	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.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **House File 2487** be referred from the Regular Calendar to the committee on **Judiciary** and the Senate Calendar reflect that the bill will be reported from committee by **March 29, 1984**.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the names of Martha Leibhart and Milton Schlein, D.C. be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

CHARLES P. MILLER

APPOINTMENTS TO BOARDS AND COMMISSIONS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Junkins called up the following eligible appointees on the En Bloc Confirmation Calendar:

IPERS Advisory Investment Board

Donald E. Snyder, committee recommendation found on page 800 of the Senate Journal.

Board of Accountancy

Committee recommendations found on page 917 of the Senate Journal:

Cindy Den Adel
Gaylon L. Halverson

Board of Architectural Examiners

Committee recommendations found on page 917 of the Senate Journal:

Twyla J. Humpleby
Kenneth E. Carpenter
Bernard J. Keninger
James W. Wilkins

State Board of Barber Examiners

Committee recommendations found on page 917 of the Senate Journal:

Karen J. Kearney
Carroll W. Anderson

Iowa Beer and Liquor Control Council

Dean L. Frederickson, committee recommendation found on page 917 of the Senate Journal.

State Board of Chiropractic Examiners

Kenneth G. Pride, committee recommendation found on page 917 of the Senate Journal.

City Development Board

- Gene A. Schatz, committee recommendation found on page 917 of the Senate Journal.

City Finance Committee

Committee recommendations found on page 917 of the Senate Journal:

Peter Hegeman
Maree A. Hansen
Robert E. McMahan

State Board of Cosmetology Examiners

Committee recommendations found on page 917 of the Senate Journal:

Margaret A. Turk
James H. O'Neill

Credit Union Review Board

Committee recommendations found on page 917 of the Senate Journal:

James J. McCue
M. Aileen Brown

State Board of Dental Examiners

Committee recommendations found on page 917 of the Senate Journal:

Dawn C. Roberts
Pamela E. DeMoss
Carmen S. Miller

Energy Policy Council

Committee recommendations found on page 917 of the Senate Journal:

Robert S. Hansen
David T. Nelson
Delmar A. Nelson

State Board of Engineering Examiners

Committee recommendations found on page 917 of the Senate Journal:

Charles E. Hales
Gary D. Darland
Virginia E. Ruark

Iowa Family Farm Development Authority

Committee recommendations found on page 917 of the Senate Journal:

Sonja L. Larsen
Diana L. Stadtmueller
Steven A. Basler

Board of Examiners for Hearing Aid Dealers

Committee recommendations found on page 918 of the Senate Journal:

Robert S. Klopp
Mary M. Smith

Iowa Law Enforcement Academy Council

Committee recommendations found on page 918 of the Senate Journal:

Douglas W. Book
Connie A. White

State Board of Medical Examiners

Committee recommendations found on page 918 of the Senate Journal:

Marian C. Bourek
Richard L. Carruthers
Reid E. Motley

State Board of Pharmacy Examiners

Committee recommendations found on page 930 of the Senate Journal:

Margo L. Underwood
Gale W. Stapp

State Board of Physical and Occupational Therapy Examiners

Committee recommendations found on page 930 of the Senate Journal:

Lois G. Campbell
Carol N. Meindl
Roger G. Egland

State Board of Podiatry Examiners

Committee recommendations found on page 930 of the Senate Journal:

Marjorie E. Rodgers
James D. Heddens

State Board of Psychology Examiners

Committee recommendations found on page 930 of the Senate Journal:

Joan E. Grant
Gerald T. Jorgensen
Darrell Dierks

State Board of Speech Pathology and Audiology Examiners

Committee recommendations found on page 930 of the Senate Journal:

Jacqueline F. Bryant
Edwina H. Kopal

State Board of Veterinary Medicine Examiners

Committee recommendations found on page 930 of the Senate Journal:

Judith L. Huntrods
Sally B. Prickett

Mental Health & Mental Retardation Commission

Committee recommendations found on page 929 of the Senate Journal:

Mary L. Leonard
Robert D. Hoogveen
Phyllis K. Osborn
Mildred K. Lloyd
Phyllis J. Priest

State Board of Mortuary Science Examiners

Committee recommendations found on page 929 of the Senate Journal:

Alvin E. Bremer
Cornelia V. Hoy

State Board of Nursing Examiners

Committee recommendations found on page 929 of the Senate Journal:

Elizabeth H. Kinney
Edna D. Eaton

Board of Examiners for Nursing Home Administrators

Committee recommendations found on page 929 of the Senate Journal:

Donna R. Robinson
Murray D. Berggren
Phyllis E. Crouse

Occupational Safety and Health Review Commission

Andrea Van Beek, committee recommendation found on page 929 of the Senate Journal.

State Board of Optometry Examiners

Committee recommendations found on page 929 of the Senate Journal:

John A. Gazaway
Sophie H. Gonzales
Robert B. Tuberty

State Racing Commission

Lavonne Mydland, committee recommendation found on page 948 of the Senate Journal.

Steve Sovern, committee recommendation found on page 977 of the Senate Journal.

Senator Junkins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A. V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hester

Lind

Schwengels

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

Senator Husak took the chair at 4:00 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2219.

House File 2219

On motion of Senator Slater, House File 2219, a bill for an act to provide that an eligible elector residing in a precinct may register to vote at the polling place on election day, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Slater offered amendment S—5460 filed by the committee on State Government on March 21, 1984, to page 2 of the bill.

Senator Gentleman offered amendment S—5528 filed by her from the floor to amendment S—5460 and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 28.

Amendment S—5528 lost.

Senator Slater moved the adoption of amendment S—5460.

A non record roll call was requested.

The ayes were 28, nays 15.

Amendment S—5460 was adopted.

Senator Gentleman offered amendment S—5527 filed by her from the floor to page 1 of the bill.

Senator Slater called for a division of amendment S—5527: lines 3 through 8 as division S—5527A and lines 9 through 13 as division S—5527B.

Senator Gentleman moved the adoption of division S—5527A.

A non record roll call was requested.

The ayes were 17, nays 28.

Division S—5527A lost.

Senator Gentleman moved the adoption of division S—5527B, which motion prevailed by a voice vote.

Senator Gallagher offered amendment S—5531 filed by him from the floor to page 1 of the bill.

Senator Hultman raised the point of order that amendment S—5531 was not germane to the bill.

Senator Gallagher withdrew amendment S—5531.

Senator Taylor offered amendment S—5494 filed by him on March 22, 1984, to the title page of the bill and moved its adoption.

Amendment S—5494 was adopted by a voice vote.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2219) the vote was:

Ayes, 28:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Slater
Small	Van Gilst	Wells	Welsh

Nays, 21:

Briles	Drake	Gentleman	Goodwin
Gratias	Holden	Holt	Hulse

Hultman
Readinger
Soorholtz
Waldstein

Jensen
Rife
Taylor

Lind
Ritsema
Tieden

Nystrom
Schwengels
Vande Hoef

Absent or not voting, 1:

Hester

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

Senator Junkins asked and received unanimous consent that **House File 2219** be **immediately messaged** to the House.

Senator Junkins asked and received unanimous consent to take up out of order House File 526.

House File 526

On motion of Senator Ritsema, House File 526, a bill for an act relating to criminal responsibility for the commission of a public offense while insane, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5520 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 19, nays 29.

Amendment S—5520 lost.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 526) the vote was:

Ayes, 40:

Anderson
Dieleman
Gettings
Holden
Hultman
Junkins

Brown
Doyle
Goodwin
Holt
Husak
Lind

Coleman
Drake
Gratias
Horn
Hutchins
Miller, A.V.

Deluhery
Gallagher
Hall
Hulse
Jensen
Miller, C.P.

Nystrom	Palmer	Priebe	Readerger
Rife	Ritsema	Rodgers	Schwengels
Small	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 8:

Bruner	Carr	Colton	Gentleman
Kinley	Mann	Slater	Soorholtz

Absent or not voting, 2:

Briles	Hester
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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 Junkins asked and received unanimous consent to take up out of order House File 2400.

House File 2400

On motion of Senator Mann, House File 2400, a bill for an act providing for uniform search warrants, applications for search warrants, endorsements for search warrants, and returns of search warrants, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2400) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readerger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles

Gallagher

Hester

Slater

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

Senator Junkins asked and received unanimous consent to take up out of order House File 509.

House File 509

On motion of Senator Anderson, House File 509, a bill for an act to require registration with the secretary of state of certain schools that maintain or conduct courses of instruction, with report of committee recommending passage, was taken up for consideration.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, 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	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles

Gallagher

Hester

Nystrom

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2375.

House File 2375

On motion of Senator Carr, House File 2375, a bill for an act providing for the surrender and disposition of earnings of persons committed to residential treatment centers operated by judicial district departments of correctional services, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2375) the vote was:

Ayes, 47:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readerger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Briles	Hester	Nystrom
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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 Junkins asked and received unanimous consent to take up out of order House File 2232.

House File 2232

On motion of Senator Welsh, House File 2232, a bill for an act to allow the operation of articulated buses not exceeding sixty-one feet in length on the public streets and highways, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2232) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Hall	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Briles	Gallagher	Hester	Jensen
Nystrom			

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

MOTION TO RECONSIDER WITHDRAWN

Senator Rife withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which House File 456 passed the Senate on March 26, 1984.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2372.

House File 2372

On motion of Senator Ritsema, House File 2372, a bill for an act relating to real property legalizing Acts, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2372) the vote was:

Ayes, 45:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 1:

Miller, C.P.

Absent or not voting, 4:

Briles	Gallagher	Hester	Nystrom
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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 Junkins asked and received unanimous consent to take up out of order House File 2164.

House File 2164

On motion of Senator Mann, House File 2164, a bill for an act relating to the duties and responsibilities of a peace officer to a victim of domestic abuse, providing a penalty and requiring the department of public safety to submit a proposal to the general assembly by January 15, 1985 for the collection of domestic violence data and statistics to be disseminated to the department of human

services, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5533 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5533 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2164) the vote was:

Ayes, 42:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, 2:

Jensen	Lind
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Absent or not voting, 6:

Briles	Gallagher	Hester	Nystrom
Van Gilst	Wells		

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2458.

House File 2458

On motion of Senator Gratias, House File 2458, a bill for an act relating to school district reorganization procedures, with report of committee recommending passage, was taken up for consideration.

Senator Gratias moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2458) the vote was:

Ayes, 41:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A. V.	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Tieden	Waldstein
Welsh			

Nays, 3:

Jensen	Taylor	Vande Hoef
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Absent or not voting, 6:

Briles	Gallagher	Hester	Nystrom
Van Gilst	Wells		

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

BUSINESS PENDING

Senate Resolution 107

The Senate resumed consideration of Senate Resolution 107, previously deferred.

Senator Holden offered amendment S—5518 filed by him from the floor to page 1 of the resolution and moved its adoption.

Amendment S—5518 was adopted by a voice vote.

Senator Taylor moved the adoption of Senate Resolution 107, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2480.

House File 2480

On motion of Senator Drake, House File 2480, a bill for an act ceding to the United States concurrent legislative jurisdiction over and within certain lands and waters dedicated to national park purposes, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2480) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Gallagher	Hester	Nystrom
Van Gilst	Wells		

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

Senator Junkins asked and received unanimous consent to take up for consideration House File 2417.

House File 2417

On motion of Senator Horn, House File 2417, a bill for an act relating to the inspection of jails and municipal holding facilities by the Iowa department of corrections, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2417) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Gallagher	Hester	Nystrom
Van Gilst	Wells		

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 111

Senator Priebe called up for consideration House File 111, a bill for an act relating to reseeding the topsoil of open ditches with prairie grass seed, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S-5376 to Senate amendment H-5033 filed March 13, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Priebe moved that the bill as amended by the Senate, further amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 111) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, none.

Absent or not voting, 7:

Briles	Gallagher	Hester	Nystrom
Van Gilst	Wells	Welsh	

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

CONSIDERATION OF BILL (Regular Calendar)

House File 598

On motion of Senator Mann, House File 598, a bill for an act relating to altering, defacing, or removing a serial or identification mark or number and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on House File 598 be deferred.

APPENDIX

FURTHER REPORTS OF COMMITTEE MEETINGS

AGRICULTURE*

*A previous report of this meeting was recorded on page 995 of the Senate Journal.

Final Bill Action: HOUSE FILE 2385, a bill for an act relating to the frequency of inspections of grain dealers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5516.

Final Vote: Ayes, 9: Priebe, Van Gilst, Hester, Husak, Hutchins, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, 1: Gallagher.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2492, a bill for an act relating to agricultural limestone fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5517.

Final Vote: Ayes, 7: Priebe, Van Gilst, Husak, A. Miller, Taylor, Vande Hoef and Waldstein. Nays, 3: Hester, Gallagher and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE*

*A previous report of this meeting was recorded on page 997 of the Senate Journal.

Final Bill Action: HOUSE FILE 422, a bill for an act relating to joint exercise of powers by public agencies for public works and facilities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5515.

Final Vote: Ayes, 9: Kinley, Priebe, Jensen, Bruner, Deluhery, Gallagher, Holden, Palmer and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2415, a bill for an act providing for the creation of a home equity line of credit and priority of advances under mortgages securing the home equity line of credit.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5514.

Final Vote: Ayes, 8: Kinley, Priebe, Jensen, Bruner, Deluhery, Holden, Palmer and Tieden. Nays, 1: Gallagher. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2491, a bill for an act relating to public utilities by providing for an income tax checkoff for the low income home energy assistance program, the right of parties to appeal the final decision in a rate proceeding, the notification of the office of consumer advocate when a public utility is engaged in certain legal actions, procedures establishing excess electric generating capacity, the use of competitive bidding procedures by public utilities, by requiring investor-owned utilities to purchase combustible gas from municipalities under certain circumstances, making civil penalties applicable and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5513.

Final Vote: Ayes, 6: Kinley, Priebe, Bruner, Deluhery, Gallagher and Palmer. Nays, 3: Jensen, Holden and Tieden. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on pages 982-983 of the Senate Journal

Final Bill Action: HOUSE FILE 2392, a bill for an act relating to the psychological testing of law enforcement and corrections officers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5506.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Deluhery, Dieleman, Drake, Horn, Small and Welsh. Nays, 2: Holt and Goodwin. Voting present, 1: Coleman. Absent or not voting, 2: Briles and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY*

*A previous report of this meeting was recorded on pages 998-999 of the Senate Journal.

Final Bill Action: HOUSE FILE 595, a bill for an act relating to the deferring of judgment or deferring of a sentence of a person previously convicted of a felony.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5507.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Coleman, Dieleman, Deluhery, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 4: Briles, Gentleman, Goodwin and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2459, a bill for an act allowing a vendor to charge for reasonable attorneys fees in the forfeiture of a real estate contract.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5508.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Briles, Gentleman, Goodwin, Welsh and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2486, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug, providing instruction and treatment for drinking drivers, declaring certain acts illegal and establishing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5509.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horn and Small. Nays, none. Absent or not voting, 5: Briles, Gentleman, Deluhery, Goodwin and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2489, a bill for an act relating to the establishment of mandatory supervised release for inmates and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Holt, Horp and Small. Nays, none. Absent or not voting, 5: Briles, Gentleman, Goodwin, Welsh and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to the House amendment to Senate File 2160, the following technical correction was made:

Amendment S—5510:

1. Page 1, line 4, "2." was changed to "1."

K. MARIE THAYER
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 26, 1984, the Governor approved and transmitted to the Secretary of the State the following bill:

S.F. 2244—Relating to public bonds and obligations by correcting references and providing for payment of the costs of registration.

PETITIONS

The following petitions were presented and placed on file by:

Senator Charles P. Miller from ninety-seven residents of Des Moines County opposing legislation concerning licensing of day care.

Senator Hutchins from nineteen residents of Carroll County favoring legislation relating to the day school shall commence for elementary and secondary schools each school year.

Senator Hutchins from thirty-eight residents of Carroll and Audubon Counties favoring legislation increasing state funding for substance abuse prevention and treatment programs to a minimum \$3.20 per capita.

PRESENTATION OF VISITORS

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

Eighteen students from West Elementary School, Knoxville, Iowa, accompanied by Mrs. Nancy Nichols. Senator Dieleman.

Seventeen student council members from Central Community School, De Witt, Iowa, accompanied by Eugene Kastler. Senator Goodwin.

Sixteen students from New Market Junior-Senior High School, New Market, Iowa, accompanied by Dave Doarzman. Senator Briles.

Forty-two students from Crestview Elementary School, West Des Moines, Iowa, accompanied by Sarah Sedgwick and Nancy Johnson. Senator Gentleman.

REQUEST FOR LEAVE OF ABSENCE

MR. PRESIDENT: I would respectfully request that the Senate Journal reflect that Senator Arthur L. Gratias should have been excused for Thursday, March 22, 1984, after 4:00 p.m. and for Friday, March 23, 1984, for the day, due to an unavoidable absence.

Due to my inadvertent error, I failed to request that Senator Gratias be so excused from his legislative duties on that day.

I would respectfully request that the correct circumstances be reflected in today's Senate Journal.

CALVIN O. HULTMAN

AMENDMENTS FILED

S-5506	H.F.	2392	Judiciary
S-5507	H.F.	595	Judiciary
S-5508	H.F.	2459	Judiciary

S—5509	H.F.	2486	Judiciary
S—5510	S. F.	2160	James D. Wells Merlin D. Hulse Ted Anderson
S—5511	H.F.	2486	Donald V. Doyle Milo Colton Wm. W. (Bill) Dieleman Norman J. Goodwin James E. Briles Bass Van Gilst
S—5512	H.F.	224	Joe Brown
S—5513	H.F.	2491	Commerce
S—5514	H.F.	2415	Commerce
S—5515	H.F.	422	Commerce
S—5516	H.F.	2385	Agriculture
S—5517	H.F.	2492	Agriculture
S—5518	S. R.	107	Edgar H. Holden
S—5519	H.F.	2212	Calvin O. Hultman
S—5520	H.F.	526	Tom Mann, Jr.
S—5521	H.F.	2100	Hurley W. Hall
S—5522	H.F.	2234	Tom Slater John N. Nystrom
S—5523 (corrected)	H.F.	2439	Judiciary
S—5524	H.F.	2328	Norman G. Rodgers
S—5525	H.F.	2436	John N. Nystrom
S—5526	H.F.	434	Alvin V. Miller C.W. Bill Hutchins
S—5527	H.F.	2219	Julia Gentleman
S—5528	H.F.	2219	Julia Gentleman
S—5529	S. F.	2328	Norman G. Rodgers
S—5530	S. F.	2328	Norman G. Rodgers
S—5531	H.F.	2219	James V. Gallagher
S—5532	H.F.	2468	James V. Gallagher
S—5533	H.F.	2164	Tom Mann, Jr.
S—5534	H.F.	2414	George R. Kinley
S—5535	H.F.	2068	Charles Bruner Patrick J. Deluhery
S—5536	H.F.	2486	Joe J. Welsh Wally E. Horn
S—5537	H.F.	2468	Joe Brown

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Tuesday, March 27, 1984.

JOURNAL OF THE SENATE

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SEVENTY-NINTH CALENDAR DAY FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 27, 1984

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

Prayer was offered by the Reverend Stanley Peterson, pastor of the Zion Lutheran Church, Clinton, Iowa.

The Journal of Monday, March 26, 1984, was approved.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2393, 2426 and 2243.

House File 2393

On motion of Senator Colton, House File 2393, a bill for an act relating to the authority of the department of water, air and waste management over used oil, with report of committee recommending passage, was taken up for consideration.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2393) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Soorholtz

Taylor
Waldstein

Tieden
Wells

Vande Hoef

Van Gilst

Nays, none.

Absent or not voting, 8:

Drake
Mann

Goodwin
Palmer

Kinley
Small

Lind
Welsh

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

House File 2426

On motion of Senator Gallagher, House File 2426, a bill for an act relating to the study of the feasibility of a state-owned hazardous waste treatment and resource recovery facility, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—5393 filed by him on March 14, 1984, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5393 was adopted by a voice vote.

Senator Gallagher moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2426) the vote was:

Ayes, 45:

Anderson
Carr
Dieleman
Gentleman
Hall
Hultman
Junkins
Nystrom
Ritsema
Small
Vande Hoef
Welsh

Briles
Coleman
Doyle
Gettings
Hester
Husak
Mann
Priebe
Rodgers
Soorholtz
Van Gilst

Brown
Colton
Drake
Goodwin
Holt
Hutchins
Miller, A.V.
Readinger
Schwengels
Taylor
Waldstein

Bruner
Deluhery
Gallagher
Gratias
Hulse
Jensen
Miller, C.P.
Rife
Slater
Tieden
Wells

Nays, 1:

Holden

Absent or not voting, 4:

Horn

Kinley

Lind

Palmer

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

House File 2243

On motion of Senator Hulse, House File 2243, a bill for an act providing that a person who provides assistance or advice in the abatement or attempted abatement or cleanup of a hazardous condition is not liable for damages resulting from the assistance or advice, with report of committee recommending passage, was taken up for consideration.

Senator Hulse moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2243) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Kinley

Lind

Nystrom

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

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Carr presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2068 and 2401.

House File 2068

On motion of Senator Deluhery, House File 2068, a bill for an requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentages which are to be charged to the stockholders, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—5535 filed by Senators Bruner and Deluhery on March 26, 1984, to page 1 of the bill.

Senator Jensen asked and received unanimous consent that further action on amendment S—5535 and House File 2068 be deferred.

House File 2401

On motion of Senator Hall, House File 2401, a bill for an act relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund, with report of committee recommending passage, was taken up for consideration.

Senator Hall offered amendment S—5543 filed by him from the floor to pages 1 through 4 of the bill and moved its adoption.

Amendment S—5543 was adopted by a voice vote.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2401) the vote was:

Ayes, 39:

Anderson
Carr

Briles
Coleman

Brown
Colton

Bruner
Deluhery

Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Hall	Horn
Hultmah	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Van Gilst	Wells	Welsh	

Nays, 9:

Gratias	Hester	Holden	Holt
Hulse	Readinger	Ritsema	Vander Hoef
Waldstein			

Absent or not voting, 2:

Gentleman Jensen

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 Junkins asked and received unanimous consent that **House File 2387** be referred from the Regular Calender to the committee on **Natural Resources**.

BUSINESS PENDING

House File 2068

The Senate resumed consideration of House File 2068 and amendment S—5535 to page 1 of the bill, previously deferred.

Senator Jensen offered amendment S—5546 filed by him from the floor to amendment S—5535.

Senator Bruner raised the point of order that amendment S—5546 was not germane.

The Chair ruled the point well taken and amendment S—5546 to amendment S—5535 out of order.

Senator Bruner moved the adoption of amendment S—5535.

A non record roll call was requested.

The ayes were 16, nays 34.

Amendment S—5535 lost.

Senator Holden asked and received unanimous consent that action on amendment S—5502 filed by him on March 23, 1984, to page 1 of the bill be deferred.

Senator Holden asked and received unanimous consent that action on amendment S—5540 filed by him from the floor to page 1 of the bill be deferred.

Senator Gallagher offered amendment S—5547 filed by him from the floor to page 1 of the bill.

Senator Gallagher asked and received unanimous consent that action on amendment S—5547 and **House File 2068** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2065.

House File 2065

On motion of Senator Deluhery, House File 2065, a bill for an act limiting gas or electric service deposits, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5539 filed by him from the floor to page 1 of the bill.

Senator Deluhery called for a division of amendment S—5539: lines 3 through 7 as division S—5539A and lines 8 and 9 as division S—5539B.

• Senator Holden moved the adoption of division S—5539A.

A record roll call was requested.

On the question "Shall division S—5539A be adopted?" (H.F. 2065) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Briles	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Lind
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 25:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Slater	Small	Wells
Welsh			

Absent or not voting, 1:

Van Gilst

Division S—5539A lost.

Senator Holden moved the adoption of division S—5539B.

A record roll call was requested.

On the question "Shall division S—5539B be adopted?" (H.F. 2065) the vote was:

Ayes, 18:

Briles	Drake	Goodwin	Hester
Holden	Holt	Hulse	Hultman
Jensen	Lind	Nystrom	Rife
Ritsema	Rodgers	Schwengels	Soorholtz
Taylor	Vande Hoef		

Nays, 31:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Gratias	Hall	Horn	Hutchins

Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Reader
Slater	Small	Tieden	Van Gilst
Waldstein	Wells	Welsh	

Absent or not voting, 1:

Husak

Division S—5539B lost.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2065) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gallagher	Gettings	Hall	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Slater	Small	Van Gilst
Wells	Welsh		

Nays, 24:

Briles	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hester	Holden
Holt	Hulse	Hultman	Jensen
Lind	Nystrom	Reader	Rife
Ritsema	Rodgers	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

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

BUSINESS PENDING

House File 2068

The Senate resumed consideration of House File 2068 and amendments S—5502, S—5540 and S—5547, previously deferred.

Senator Gallagher withdrew amendment S—5550 filed by him from the floor to page 1 of the bill.

Senator Gallagher withdrew amendment S—5547 to page 1 of the bill, previously deferred.

Senator Gallagher offered amendment S—5554 filed by Senators Bruner and Gallagher from the floor to page 1 of the bill and moved its adoption.

Amendment S—5554 was adopted by a voice vote.

With the adoption of amendment S—5554, the Chair ruled amendments S—5502 and S—5540 by Senator Holden to page 1 of the bill, previously deferred, out of order.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2068) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gallagher	Gentleman	Gettings	Holden
Horn	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Slater	Van Gilst	Welsh	

Nays, 23:

Briles	Dieleman	Drake	Goodwin
Gratias	Hall	Hester	Holt
Hulse	Hultman	Jensen	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

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

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2068 passed the Senate on March 27, 1984.

EDGAR H. HOLDEN

MR. PRESIDENT: I move to reconsider the vote by which House File 2068 passed the Senate on March 27, 1984.

PATRICK J. DELUHERY

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2452.

House File 2452

On motion of Senator Ritsema, House File 2452, a bill for an act relating to the requirement of bail during and after a period of deferred judgment and to the discharge of surety bail upon the occurrence of specified conditions, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2452) the vote was:

Ayes, 48:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Briles

Rife

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2412.

House File 2412

On motion of Senator Mann, House File 2412, a bill for an act relating to informing defendants of an applicable mandatory minimum sentence, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2412) the vote was:

Ayes, 47:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readerger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Briles

Holt

Tieden

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2183.

House File 2183

On motion of Senator Anderson, House File 2183, a bill for an act relating to the regulation of business entities and workers engaging in the removal or encapsulation of asbestos and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Anderson offered amendment S—5497 filed by the committee on Labor and Industrial Relations on March 23, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5497 was adopted by a voice vote.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2183) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Wells	Welsh		

Nays, 2:

Gentleman Holden

Absent or not voting, 2:

Briles Waldstein

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 Junkins, the Senate recessed at 12:09 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., President Anderson presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Rife took the chair at 1:36 p.m.

President Anderson took the chair at 1:42 p.m.

The vote revealed 44 present, 6 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House Files 2486, 2463, 2440, 2373 and 531.

House File 2486

On motion of Senator Doyle, House File 2486, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug, providing instruction and treatment for drinking drivers, declaring certain acts illegal and establishing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—5509 filed by the committee on Judiciary on March 26, 1984, to strike everything after the enacting clause of the bill.

Senator Welsh offered amendment S—5536 filed by Senators Welsh and Horn on March 26, 1984, to amendment S—5509.

Senator Welsh asked and received unanimous consent that action on amendment S—5536 to amendment S—5509 be deferred.

Senator Doyle offered amendment S—5511 filed by Senators Doyle, et al., on March 26, 1984, to amendment S—5509 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5511 to amendment S—5509 be adopted?" (H.F. 2486) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Briles	Colton	Dieleman	Doyle
Goodwin	Hester	Holden	Holt
Hulse	Hultman	Jensen	Nystrom
Priebe	Ritsema	Schwengels	Soorholtz
Taylor	Vande Hoef	Van Gilst	Wells

Nays, 28:

Anderson	Brown	Bruner	Carr
Coleman	Deluhery	Drake	Gallagher
Gentleman	Gettings	Gratias	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Readinger	Rife	Rodgers
Slater	Small	Tieden	Welsh

Absent or not voting, 2:

Lind	Waldstein
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Amendment S—5511 lost.

Senator Doyle offered amendment S—5558 filed by him from the floor to amendment S—5509 and moved its adoption.

Amendment S—5558 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent to take up for consideration amendment S—5536 to amendment S—5509, previously deferred.

Senator Welsh moved the adoption of amendment S—5536 to amendment S—5509.

A record roll call was requested.

On the question "Shall amendment S—5536 to amendment S—5509 be adopted?" (H.F. 2486) the vote was:

Ayes, 26:

Anderson	Brown	Bruner	Carr
Coleman	Deluhery	Gallagher	Gentleman
Gettings	Gratias	Hall	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Palmer	Readinger
Rife	Rodgers	Slater	Small
Tieden	Welsh		

Nays, 22:

Briles	Colton	Dieleman	Doyle
Drake	Goodwin	Hester	Holden
Holt	Hulse	Hultman	Jensen
Miller, C.P.	Nystrom	Priebe	Ritsema
Schwengels	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein		

Absent or not voting, 2:

Lind Wells

Amendment S—5536 was adopted.

Senator Welsh offered amendment S—5553 filed by Senators Welsh and Horn from the floor to amendment S—5509 and moved its adoption.

Amendment S—5553 was adopted by a voice vote.

Senator Mann offered amendment S—5559 filed by him from the floor to amendment S—5509 and moved its adoption.

Amendment S—5559 was adopted by a voice vote.

With the adoption of amendment S—5559 to amendment S—5509, the Chair ruled amendment S—5556 filed by Senator Mann from the floor to amendment S—5509, out of order.

Senator Doyle offered amendment S—5562 filed by him from the floor to amendment S—5509 and moved its adoption.

Amendment S—5562 was adopted by a voice vote.

Senator Hall offered amendment S—5555 filed by him from the floor to amendment S—5509.

Senator Carr raised the point of order that amendment S—5555 to amendment S—5509 was not germane.

The Chair ruled the point not well taken and amendment S—5555 in order.

Senator Hall moved the adoption of amendment S—5555 to amendment S—5509.

A non record roll call was requested.

The ayes were 30, nays 19.

Amendment S—5555 was adopted.

The Chair ruled amendment S—5563 filed by Senators Mann and Brown from the floor to amendment S—5509, out of order.

Senator Gallagher withdrew amendment S—5548 filed by him from the floor to amendment S—5509.

Senator Gallagher offered amendment S—5557 filed by him from the floor to amendment S—5509.

Senator Gallagher asked and received unanimous consent that action on amendment S—5509, amendment S—5557 to amendment S—5509 and House File 2486 be deferred.

House File 2463

On motion of Senator Ritsema, House File 2463, a bill for an act relating to the priority of construction mortgage liens, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery offered amendment S—5464 filed by Senators Welsh and Deluhery on March 21, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5464 was adopted by a voice vote.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2463) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Miller, A.V.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 4:

Deluhery	Gentleman	Mann	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.

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486, amendment S—5509, and amendment S—5557 to amendment S—5509, previously deferred.

Senator Gallagher withdrew amendment S—5557 to amendment S—5509.

Senator Gallagher offered amendment S—5566 filed by him from the floor to amendment S—5509 and moved its adoption.

Amendment S—5566 was adopted by a voice vote.

Senator Holden offered amendment S—5565 filed by him from the floor to amendment S—5509 and called for a division: lines 4 through 17 as division S—5565A and lines 18 through 44 as division S—5565B.

Senator Holden moved the adoption of division S—5565A, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—5565B.

A record roll call was requested.

On the question "Shall division S—5565B be adopted?" (H.F. 2486) the vote was:

Ayes, 18:

Brown	Dieleman	Gentleman	Gettings
Goodwin	Hester	Holden	Holt
Hultman	Jensen	Junkins	Nystrom
Schwengels	Sporholtz	Taylor	Vande Hoef
Van Gilst	Waldstein		

Nays, 31:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gratias	Hall
Horn	Hulse	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Priebe	Readinger	Rife
Ritsema	Rodgers	Slater	Small
Tieden	Wells	Welsh	

Absent or not voting, 1:

Palmer

Division S—5565B lost.

Senator Ritsema offered amendment S—5564 filed by him from the floor to amendment S—5509.

Senator Doyle raised the point of order that amendment S—5564 to amendment S—5509 was not germane.

The Chair ruled the point not well taken and amendment S—5564 to amendment S—5509 in order.

Senator Ritsema moved the adoption of amendment S—5564 to amendment S—5509.

A non record roll call was requested.

The ayes were 31, nays 16.

Amendment S—5564 was adopted.

Senator Miller of Des Moines offered amendment S—5567 filed by him from the floor to amendment S—5509.

Senator Colton raised the point of order that amendment S—5567 to amendment S—5509 was not germane.

The Chair ruled the point well taken and amendment S—5567 to amendment S—5509 out of order.

Senator Colton withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5555 to amendment S—5509 to House File 2486 was adopted by the Senate on March 27, 1984.

Senator Jensen asked and received unanimous consent that further action on amendment S—5509 as amended and **House File 2486** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2440

On motion of Senator Carr, House File 2440, a bill for an act relating to the Iowa veterans home and its administration, with report of committee recommending passage, was taken up for consideration.

Senator Carr offered amendment S—5560 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5560 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2440) the vote was:

Ayes, 49:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A. V.	Miller, C. P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Palmer

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

House File 2373

On motion of Senator Gentleman, House File 2373, a bill for an act relating to attorney fees in proceedings to enforce or modify orders or decrees relating to dissolution of marriage, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman offered amendment S—5572 filed by Senators Gentleman and Mann from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Junkins asked and received unanimous consent that action on amendment S—5572 and House File 2373 be deferred.

House File 531

On motion of Senator Schwengels, House File 531, a bill for an act to revise the procedures for the assessment of penalties under the

laws regulating coal mining, with report of committee recommending passage, was taken up for consideration.

Senator Schwengels moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 531) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins.
Jensen	Junkins	Kinley	Lind
Mann	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Dieleman Miller, A.V.

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

Senator Junkins asked and received unanimous consent to take up for consideration House Files 2272 and 590.

UNFINISHED BUSINESS (Deferred March 26, 1984)

House File 2272

The Senate resumed consideration of House File 2272, a bill for an act to authorize certain motor trucks and motor homes to tow a four-wheeled trailer with a steering axle and more than one trailer or semitrailer or both, subject to penalties provided by law, deferred on March 26, 1984.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2272) the vote was:

Ayes, 50:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

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

House File 590

On motion of Senator Slater, House File 590, a bill for an act relating to the requirements that certain buildings be designed by registered architects, with report of committee recommending passage, was taken up for consideration.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 590) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak

Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Van Gilst	Waldstein	Wells	Welsh

Nays, 1:

Vande Hoef

Absent or not voting, 1:

Palmer

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

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486 and amendment S—5509 as amended, previously deferred.

Senators Gallagher and Mann filed the following motion to reconsider from the floor and Senator Gallagher moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5555 to amendment S—5509 to House File 2486 was adopted by the Senate on March 27, 1984.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2486) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gallagher	Gettings	Horn	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Readinger	Rodgers	Slater
Small	Welsh		

Nays, 26:

Brown	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Hutchins	Jensen	Lind	Priebe
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Absent or not voting, 2:

Husak Nystrom

The motion lost.

Senator Jensen raised the point of order that amendment S—5509 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5509 as amended in order.

Senator Doyle moved the adoption of amendment S—5509 as amended.

A record roll call was requested.

On the question "Shall amendment S—5509 as amended be adopted?" (H.F. 2486) the vote was:

Ayes, 30:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Goodwin
Hall	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Ritsema
Rodgers	Slater	Small	Van Gilst
Wells	Welsh		

Nays, 19:

Briles	Drake	Gentleman	Gratias
Hester	Holden	Holt	Hulse
Hultman	Jensen	Lind	Readinger
Rife	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 1:

Nystrom

Amendment S—5509 as amended was adopted.

The Chair ruled amendment S—5573 filed by Senator Taylor from the floor to pages 13 and 14 of the bill, out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2486) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Holt	Horn	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Van Gilst	Waldstein
Wells	Welsh		

Nays, 7:

Gentleman	Hester	Holden	Hulse
Hultman	Jensen	Vande Hoef	

Absent or not voting, 1:

Nystrom

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2486 passed the Senate on March 27, 1984.

BOB CARR

APPENDIX

REPORT OF STANDING COMMITTEE (Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Labor & Industrial Relations assigned to investigate the character and qualifications of the following appointees as members of the Public Employment Relations Board under the provisions of Section 20.5, 1983 Code of Iowa, begs leave to report it has made investigation and recommends the appointments be confirmed:

James A. McClimon, Altoona, Polk County, Iowa, and Peter L. Pashler, Des Moines, Polk County, Iowa, for terms beginning May 1, 1984, and ending April 30, 1988.

COMMITTEE ON LABOR AND
INDUSTRIAL RELATIONS
TED ANDERSON, Chair

PRESENTATION OF VISITORS

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

Twenty students from Central Lutheran School, Newhall, Iowa, accompanied by Bill Hilgendorf. Senator Husak.

Forty students from St. Marys High School, Remsen, Iowa, accompanied by Sister Delores Smith and Father Paul Eisele. Senator Ritsema.

Twenty-nine students from Alden Community School, Alden, Iowa, accompanied by Marty Dwine. Senator Taylor.

Ten students from Storm Lake High School, Storm Lake, Iowa, accompanied by Ann Mein. Senator Waldstein.

Twenty-five students from Exira Junior-Senior High School, Exira, Iowa, accompanied by Marshall Mullnix. Senator Hutchins.

Eighteen 4-H members from Henry and Des Moines Counties, accompanied by Les Schoffelman. Senator Charles P. Miller.

AMENDMENTS FILED

S—5538	H.F.	2433	Calvin O. Hultman
S—5539	H.F.	2065	Edgar H. Holden
S—5540	H.F.	2068	Edgar H. Holden
S—5541	H.F.	2394	Charles P. Miller
			Tom Slater
			Bob Carr
			C.W. Bill Hutchins
S—5542	H.F.	558	Charles P. Miller
S—5543	H.F.	2401	Hurley W. Hall
S—5544	H.F.	2015	Ted Anderson
S—5545	S. F.	2328	Norman G. Rodgers
			Lee W. Holt
			William D. Palmer
			Arthur L. Gratias
			George R. Kinley
			Edgar H. Holden
			Jack W. Hester
S—5546	H.F.	2068	John W. Jensen
S—5547	H.F.	2068	James V. Gallagher
S—5548	H.F.	2486	James V. Gallagher
S—5549	H.F.	2466	Lee W. Holt
			Wm. W. (Bill) Dieleman
S—5550	H.F.	2068	James V. Gallagher
S—5551	H.F.	2491	Edgar H. Holden
S—5552	H.F.	2472	State Government
S—5553	H.F.	2486	Joe J. Welsh
			Wally E. Horn
S—5554	H.F.	2068	Charles Bruner
			James V. Gallagher
S—5555	H.F.	2486	Hurley W. Hall
S—5556	H.F.	2486	Tom Mann, Jr.
S—5557	H.F.	2486	James V. Gallagher
S—5558	H.F.	2486	Donald V. Doyle
S—5559	H.F.	2486	Tom Mann, Jr.
S—5560	H.F.	2440	Bob Carr
S—5561	H.F.	2217	Wally E. Horn
S—5562	H.F.	2486	Donald V. Doyle
S—5563	H.F.	2486	Tom Mann, Jr.
			Joe Brown

S-5564	H.F.	2486	Douglas Ritsema
S-5565	H.F.	2486	Edgar H. Holden
S-5566	H.F.	2486	James V. Gallagher
S-5567	H.F.	2486	Charles P. Miller
S-5568	H.F.	2274	Calvin O. Hultman
S-5569	H.F.	2394	Douglas Ritsema
S-5570	H.F.	2110	Tom Slater
			Bob Carr
			Arthur A. Small, Jr.
			Charles P. Miller
S-5571	H.F.	2467	Tom Mann, Jr.
S-5572	H.F.	2373	Julia Gentleman
			Tom Mann, Jr.
S-5573	H.F.	2486	Ray Taylor
S-5574	H.F.	2415	Charles Bruner
S-5575	H.F.	2430	Richard Vande Hoef
S-5576	H.F.	2394	Edgar H. Holden

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:52 p.m., until 9:00 a.m., Wednesday, March 28, 1984.

JOURNAL OF THE SENATE

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EIGHTIETH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 28, 1984

The Senate met in regular session at 9:20 a.m., President Anderson presiding.

Prayer was offered by the Reverend Kermit Gladfelder, pastor of the Grace United Methodist Church, Correctionville, Iowa.

The Journal of Tuesday, March 27, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Ritsema for the remainder of the week on request of Senator Hultman and Senator Hall for the day on request of Senator Hutchins.

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 March 27, 1984, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 2160, a bill for an act to provide a preference for residents in awarding of public contracts in certain situations.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 110, by Colton, a concurrent resolution encouraging passage of a federal house joint resolution declaring November 4-10 as National Medical Assistants' Week.

Read first time and passed on file.

PAGES PRESENTATION

Candi Cline and Tim Oswald, Senate Pages, and John Feyen, House Page, appeared in the well of the Senate and presented a check in the amount of \$850.00 to Gene Shaw, Jim Clayton and Keith Oswald, representing Iowa Children's and Family Services. Also present was Representatives Hanson and Doderer, members of the board.

The money was a donation by the Senate and House Pages for proceeds received from the annual Pages Ball held February 29, 1984.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Anderson presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 15, 1984)

House File 2211

The Senate resumed consideration of House File 2211, a bill for an act making changes in the practice act relating to physical therapy, deferred on March 15, 1984.

Senator Miller of Des Moines offered amendment S—5581 filed by Senators Miller, et al., from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5581 be adopted?" (H.F. 2211) the vote was:

Ayes, 33:

Anderson
Carr

Briles
Coleman

Brown
Colton

Bruner
Delu hery

Dieleman	Doyle	Gallagher	Gentleman
Gettings	Hester	Holden	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Schwengels	Slater	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, 12:

Drake	Goodwin	Holt	Hulse
Hultman	Jensen	Readinger	Rife
Rodgers	Small	Soorholtz	Waldstein

Absent or not voting, 5:

Gratias	Hall	Lind	Palmer
Ritsema			

Amendment S—5581 was adopted.

Senator Junkins asked and received unanimous consent that further action on House File 2211 be deferred.

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 March 26, 1984, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 163, a bill for an act creating a possessory lien on personal property in a self-service storage facility and establishing a method for enforcing the lien (S—5584).

Senate File 292, a bill for an act relating to qualification and compensation of court interpreters (S—5585).

Senate File 414, a bill for an act relating to insurance coverage for mental health services provided by certain licensed psychologists (S—5586).

Senate File 2059, a bill for an act relating to the authority of a standing committee of the general assembly to call upon a state agency or political subdivision for assistance and information (S—5587).

Senate File 2084, a bill for an act relating to transition legislation for the Iowa department of corrections (S—5588).

Senate File 2091, a bill for an act relating to the acquisition of legal settlement by persons hospitalized in or receiving treatment at a state mental health institute and by institutionalized, emancipated, and other minors (S—5589).

Senate File 2189, a bill for an act relating to bacterial and organoleptic milk standards (S—5590).

ALSO: That the House has on March 26, 1984, passed the following bills in which the concurrence of the House was asked:

Senate File 324, a bill for an act relating to skilled nursing care coverage provided by insurers and hospital and medical service corporations to hospitalized insureds and subscribers.

Senate File 497, a bill for an act relating to activities of the citizens' aide and members of the citizens' aide staff.

Senate File 510, a bill for an act relating to liens against crops and livestock to secure payment for fertilizer, feed, seed, petroleum product, and agricultural chemical used in the production of growing crops and livestock and providing for the perfection and enforcement of these liens, and providing for statutory damages.

Senate File 2042, a bill for an act abolishing the council on child abuse information.

Senate File 2119, a bill for an act making the three-day notice to quit given by mobile/manufactured home landlords concurrent with the three-day notice for failure to pay rent.

Senate File 2137, a bill for an act relating to the certification of documents and providing a penalty.

Senate File 2167, a bill for an act to repeal the requirement that a meeting be called upon request by the area education agency board or a contiguous school district concerning a proposal by a school district board to issue general obligation bonds for construction or renovation of a school building.

Senate File 2168, a bill for an act relating to programs for returning dropouts and dropout prevention by a local school district.

Senate File 2175, a bill for an act relating to dispensing of generically equivalent drugs.

Senate File 2176, a bill for an act eliminating the requirement that a facility licensed by the department of substance abuse providing child foster care be licensed by the department of human services.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:25 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:00 p.m., Senator Doyle presiding.

RECESS

On motion of Senator Colton, the Senate recessed at 1:03 p.m., until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:49 p.m., Senator Colton presiding.

QUORUM CALL

Senator Coleman 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 BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2043 and 2466.

House File 2043

On motion of Senator Wells, House File 2043, a bill for an act relating to the reporting of property owned by a city utility, with

report of committee recommending passage, was taken up for consideration.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2043) the vote was:

Ayes, 36:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Gratias	Hester	Holt
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 11:

Gentleman	Goodwin	Holden	Hulse
Jensen	Lind	Schwengels	Taylor
Vande Hoef	Van Gilst	Waldstein	

Absent or not voting, 3:

Hall	Mann	Ritsema
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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 2466

On motion of Senator Mann, House File 2466, a bill for an act relating to the definition of public accommodation and extending the time for bringing an action under the Iowa civil rights law, with report of committee recommending passage, was taken up for consideration.

President Anderson took the chair at 2:10 p.m.

Senator Dieleman offered amendment S—5549 filed by Senators Holt and Dieleman on March 27, 1984, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 25, nays 23.

Amendment S—5549 was adopted.

Senator Mann asked and received unanimous consent that further action on **House File 2466** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2431, 2447, 2194, 434, 2415, 601 and 2110.

House File 2431

On motion of Senator Mann, House File 2431, a bill for an act relating to the issuance of arrest warrants for work release violators or escapees, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2431) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coffman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hall	Lind	Ritsema
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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 2447

On motion of Senator Slater, House File 2447, a bill for an act relating to the providing of interpreters for hearing impaired persons, with report of committee recommending passage, was taken up for consideration.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2447) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hall	Lind	Ritserma
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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 2194

On motion of Senator Miller of Des Moines, House File 2194, a bill for an act relating to the reporting of receipts by the county treasurer, 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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2194) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hall Ritsema

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

House File 434

On motion of Senator Miller of Cerro Gordo, House File 434, a bill for an act authorizing cities to enter agreements to jointly invest public funds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5526 filed by Senators Miller of Cerro Gordo and Hutchins on March 26, 1984, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5526 was adopted by a voice vote.

With the adoption of amendment S—5526, the Chair ruled the following amendments out of order:

S—5429 filed by the committee on Local Government on March 16, 1984, to page 1 of the bill.

S—5442 filed by Senators Miller of Cerro Gordo and Hutchins on March 19, 1984, to page 1 and to the title page of the bill.

S—5483 filed by Senators Miller of Cerro Gordo and Hutchins on March 22, 1984, to page 1 and to the title page of the bill.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 434) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 2:

Hester	Rife
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Absent or not voting, 4:

Hall	Kinley	Ritsema	Tieden
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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.

House File 2415

On motion of Senator Priebe, House File 2415, a bill for an act providing for the creation of a home equity line of credit and priority of advances under mortgages securing the home equity line of credit, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5514 filed by the committee on Commerce on March 26, 1984, to page 1 of the bill.

Senator Bruner offered amendment S—5574 filed by him on March 27, 1984, to amendment S—5514 and moved its adoption.

Amendment S—5574 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5514 as amended, which motion prevailed by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2415) the vote was:

Ayes, 47:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A. V.	Miller, C. P.	Nystrom
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hall	Palmer	Ritsema
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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 House File 2415 passed the Senate on March 28, 1984.

JAMES V. GALLAGHER

CONSIDERATION OF BILLS (Regular Calendar)

House File 601

On motion of Senator Mann, House File 601, a bill for an act relating to appeal of bond set after parole revocation, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 601) the vote was:

Ayes, 36:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Doyle	Drake	Gallagher	Gentleman
Gettings	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Waldstein	Wells	Welsh

Nays, 11:

Dieleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Lind
Tieden	Vande Hoef	Van Gilst	

Absent or not voting, 3:

Hall	Miller, A.V.	Ritsema
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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 2110

On motion of Senator Gentleman, House File 2110, a bill for an act relating to the regulation of radiation machines and radioactive materials and providing a civil penalty for violations, with report of committee recommending passage, was taken up for consideration.

Senator Slater offered amendment S—5570 filed by Senators Slater, et al., on March 27, 1984, to pages 1, 9 and the title page of the bill.

Senator Hultman raised the point of order that amendment S—5570 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5570 in order.

Senator Holden asked and received unanimous consent that further action on amendment S—5570 be deferred.

Senator Gentleman offered amendment S—5582 filed by her from the floor to pages 5, 6 and 9 of the bill and moved its adoption.

Amendment S—5582 was adopted by a voice vote.

Senator Holden asked and received unanimous consent that further action on amendment S—5570 and House File 2110 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2414.

House File 2414

On motion of Senator Holden, House File 2414, a bill for an act relating to credit union reciprocity, par value of shares, deposits, investments, powers, membership, and reserves, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Holden offered amendment S—5452 filed by the committee on Commerce on March 20, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5452 was adopted by a voice vote.

Senator Kinley offered amendment S—5534 filed by him on March 26, 1984, to the title page of the bill and moved its adoption.

Amendment S—5534 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2414) the vote was:

Ayes, 47:

Anderson
Carr

Briles
Coleman

Brown
Colton

Bruner
Delu hery

Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hall	Ritsema	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.

UNFINISHED BUSINESS (Deferred March 27, 1984)

House File 2373

The Senate resumed consideration of House File 2373, a bill for an act relating to attorney fees in proceedings to enforce or modify orders or decrees relating to dissolution of marriage, and amendment S—5572 by Senators Gentleman and Mann to strike everything after the enacting clause and to the title page of the bill, deferred on March 27, 1984.

Senator Gentleman moved the adoption of amendment S—5572, which motion prevailed by a voice vote.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2373) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias

Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hall	Miller, A.V.	Ritsema	Schwengels
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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

House File 2211

The Senate resumed consideration of House File 2211, previously deferred.

Senator Gentleman offered amendment S—5601 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—5601 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2211) the vote was:

Ayes, 38:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Hester	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Tieden	Van Gilst
Wells	Welsh		

Nays, 8:

Coleman
Hulse

Gratiás
Jensen

Holden
Taylor

Holt
Vande Hoef

Absent or not voting, 4:

Briles

Hall

Ritsema

Waldstein

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

UNFINISHED BUSINESS (Deferred March 23, 1984)

House File 2394

The Senate resumed consideration of House File 2394, a bill for an act relating to the licensure of dietitians and nutritionists, deferred on March 23, 1984.

Senator Holden withdrew amendment S—5496 filed by him on March 23, 1984, to strike everything after the enacting clause of the bill.

Senator Holden offered amendment S—5576 filed by him on March 27, 1984, to pages 1 through 5 and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 30.

Amendment S—5576 lost.

Senator Miller of Des Moines offered amendment S—5610 filed by Senators Miller of Des Moines, et al., from the floor to pages 1, 3 and 4 of the bill and moved its adoption.

Amendment S—5610 was adopted by a voice vote.

With the adoption of amendment S—5610, the Chair ruled amendment S—5541 filed by Senators Miller of Des Moines, et al., on March 27, 1984, to pages 1 and 4 of the bill, out of order.

Senator Holden offered amendment S—5446 filed by him on March 20, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5446 was adopted by a voice vote.

Senator Hultman offered amendment S—5569 filed by Senator Ritsema on March 27, 1984, to pages 3 and 4 of the bill.

Senator Miller of Des Moines called for a division of amendment S—5569: lines 3 through 6 as division S—5569A and lines 7 through 9 as division S—5569B.

Senator Hultman moved the adoption of division S—5569A, which motion prevailed by a voice vote.

Senator Hultman moved the adoption of division S—5569B, which motion prevailed by a voice vote.

Senator Coleman moved that House File 2394 be referred to the committee on State Government.

Senator Coleman withdrew his motion.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2394) the vote was:

Ayes, 36:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Tieden	Van Gilst	Wells	Welsh

Nays, 12:

Briles	Goodwin	Gratias	Hester
Holden	Holt	Hulse	Jensen
Lind	Taylor	Vande Hoef	Waldstein

Absent or not voting, 2:

Hall	Ritsema
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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 House File 2394 passed the Senate on March 28, 1984.

C. JOSEPH COLEMAN

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2306.

House File 2306

On motion of Senator Goodwin, House File 2306, a bill for an act permitting the conservation commission to alter or restrict the taking of wildlife, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—5577 filed by him from the floor to page 1 of the bill.

Senator Taylor withdrew amendment S—5609 filed by him from the floor to amendment S—5577.

Senator Taylor asked and received unanimous consent that further action on amendment S—5577 and House File 2306 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2279.

House File 2279

On motion of Senator Wells, House File 2279, a bill for an act relating to regulation of taxicabs by cities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wells offered amendment S—5445 filed by the committee on Local Government on March 20, 1984, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5445 was adopted by a voice vote.

Senator Mann asked and received unanimous consent that further action on **House File 2279** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2425.

House File 2425

On motion of Senator Goodwin, House File 2425, a bill for an act relating to the commitment of children and certain adults either to the state training school or the appropriate adult correctional facility, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2425) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hall	Ritsema
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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 Junkins asked and received unanimous consent to take up out of order House File 2474.

House File 2474

On motion of Senator Mann, House File 2474, a bill for an act relating to the form of probate inventory, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2474) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hester
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Hall	Holden	Ritsema	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 Junkins asked and received unanimous consent to take up out of order House File 2062.

House File 2062

On motion of Senator Bruner, House File 2062, a bill for an act providing for a moratorium on certain disconnections of gas and electricity by regulated public utilities from November 1 to April 1 for residents age sixty or over and making civil penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5453 filed by the committee on Commerce on March 20, 1984, to pages 1, 2 and the title page of the bill.

Senator Bruner asked and received unanimous consent that further action on amendment S—5453 and House File 2062 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2265.

House File 2265

On motion of Senator Horn, House File 2265, a bill for an act permitting certain teachers at the Iowa school for the deaf and Iowa braille and sight-saving school to be eligible for certain repayment criteria for loan programs, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2265) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hall	Ritsema
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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

House File 2062

The Senate resumed consideration of House File 2062 and amendment S—5453 to pages 1, 2 and the title page of the bill, previously deferred.

Senator Dieleman offered amendment S—5598 filed by Senators Dieleman and Jensen from the floor to amendment S—5453 and moved its adoption.

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 24.

Amendment S—5598 lost.

Senator Bruner moved the adoption of amendment S—5453, which motion prevailed by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2062) the vote was:

Ayes, 33:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Slater	Small
Taylor	Tieden	Van Gilst	Wells
Welsh			

Nays, 14:

Gentleman	Goodwin	Gratias	Hester
Holden	Holt	Hulse	Hultman
Jensen	Lind	Schwengels	Soorholtz
Vande Hoef	Waldstein		

Absent or not voting, 3:

Briles

Hall

Ritsema

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

BUSINESS PENDING

House File 2279

The Senate resumed consideration of House File 2279, previously deferred.

Senator Mann offered amendment S—5619 filed by Senators Mann and Gentleman from the floor to pages 1 and 2 of the bill.

Senator Wells called for a division of amendment S—5619: lines 3 and 4 as division S—5619A and line 5 as division S—5619B.

Senator Mann moved the adoption of division S—5619A, which motion prevailed by a voice vote.

Senator Coleman took the chair at 5:25 p.m.

Senator Mann moved the adoption of division S—5619B, which motion prevailed by a voice vote.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2279) the vote was:

Ayes, 15:

Anderson
Deluhery
Kinley
Rodgers

Bruner
Doyle
Miller, A.V.
Van Gilst

Coleman
Horn
Miller, C.P.
Waldstein

Colton
Junkins
Palmer

Nays, 31:

Brown
Gallagher
Gratias
Hulse

Carr
Gentleman
Hester
Hultman

Dieleman
Gettings
Holden
Husak

Drake
Goodwin
Holt
Hutchins

Jensen	Lind	Mann	Nystrom
Priebe	Readinger	Rife	Schwengels
Slater	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Absent or not voting, 4:

Briles	Hall	Ritsema	Small
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The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Junkins asked and received unanimous consent to take up out of order House File 2423.

House File 2423

On motion of Senator Gentleman, House File 2423, a bill for an act establishing court jurisdiction over certain nonresidents in paternity and child support cases, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2423) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Hall	Ritsema	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 Junkins asked and received unanimous consent to take up out of order House File 2416.

House File 2416

On motion of Senator Hutchins, House File 2416, a bill for an act relating to employee continuation rights under an employer-provided health benefit plan and to employer liability for breaking an agreement to provide a health benefit plan for employees, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2416) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Hall	Ritsema	Wells
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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 Junkins asked and received unanimous consent to take up out of order House File 2247.

House File 2247

On motion of Senator Miller of Cerro Cordo, House File 2247, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein offered amendment S—5616 filed by Senators Waldstein, Miller of Cerro Gordo and Wells from the floor to pages 1, 2 and the title page of the bill.

Senator Vande Hoef called for a division of amendment S—5616: lines 3 through 16 as division S—5616A and lines 17 through 30 as division S—5616B.

Senator Waldstein moved the adoption of division S—5616A.

A non record roll call was requested.

The ayes were 21, nays 22.

Division S—5616A lost.

Senator Waldstein asked and received unanimous consent to withdraw division S—5616B.

Senator Colton asked and received unanimous consent that action on **House File 2247** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Welsh for the remainder of the evening on request of Senator Junkins.

MOTIONS TO RECONSIDER WITHDRAWN

Senator Gentleman withdrew the following motion to reconsider filed by her from the floor:

MR. PRESIDENT: I move to reconsider the vote by which House File 2416 passed the Senate on March 28, 1984.

Senator Gallagher withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which House File 2416 passed the Senate on March 28, 1984.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2430.

House File 2430

On motion of Senator Slater, House File 2430, a bill for an act relating to the selection and operation of foster care review committees under the department of human services, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—5575 filed by him on March 27, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5575 was adopted by a voice vote.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2430) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, none.

Absent or not voting, 4:

Briles

Hall

Ritsema

Welsh

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 Holden for the remainder of the evening on request of Senator Hultman.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that the following bills be immediately messaged to the House:

House Files 601, 2043, 2194, 2211, 2265, 2373, 2414, 2416, 2425, 2431, 2447 and 2474.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2439, 2468 and 595 .

House File 2439

On motion of Senator Mann, House File 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on House File 2439 be deferred.

House File 2468

On motion of Senator Slater, House File 2468, a bill for an act relating to the election laws by providing a method of challenging nomination petitions, eliminating the requirement for notarization of absentee ballots, allowing the mailing of certain absentee ballots, regulating the office hours of the county commissioner of elections, revising delivery of registration forms and changes in registration, requiring identification of political advertisers, providing for assistance to certain voters and making certain technical corrections to the voting laws and providing penalties and effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

President Anderson took the chair at 6:35 p.m.

Senator Drake offered amendment S—5504 filed by the committee on State Government on March 23, 1984, to pages 7, 8 and 10 of the bill and moved its adoption.

Amendment S—5504 was adopted by a voice vote.

Senator Brown withdrew amendment S—5537 filed by him on March 26, 1984, to pages 3, 12 and the title page of the bill.

Senator Gallagher offered amendment S—5532 filed by him on March 26, 1984, to page 12 of the bill.

Senator Hultman raised the point of order that amendment S—5532 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5532 out of order.

Senator Slater moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2468) the vote was:

Ayes, 43:

Anderson
Coleman
Doyle
Gettings

Brown
Colton
Drake
Goodwin

Bruner
Deluhery
Gallagher
Gratias

Carr
Dieleman
Gentleman
Hester

Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Briles	Hall	Holden	Ritsema
Taylor	Van Gilst	Welsh	

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

House File 595

On motion of Senator Mann, House File 595, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—5507 filed by the committee on Judiciary on March 26, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5507 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 595) the vote was:

Ayes, 38:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Readinger	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells		

Nays, 4:

Dieleman	Hester	Rife	Vande Hoef
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Absent or not voting, 8:

Briles	Hall	Holden	Jensen
Priebe	Ritsema	Van Gilst	Welsh

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

Senator Junkins asked and received unanimous consent to take up out of order House Files 2427, 2432, 2380, 2424, 2167 and 2392.

House File 2427

On motion of Senator Mann, House File 2427, a bill for an act relating to disclosure of the court's decision on whether to reconsider a felon's sentence of confinement, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2427) the vote was :

Ayes, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Goodwin	Gratias	Holt	Horn
Hulse	Hultman	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 1:

Hester

Absent or not voting, 10:

Briles	Gettings	Hall	Holden
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Husak
Van Gilst

Nystrom
Welsh

Priebe

Ritsema

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

House File 2432

On motion of Senator Drake, House File 2432, a bill for an act to establish a public transit assistance fund, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2432) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, none.

Absent or not voting, 10:

Briles	Gettings	Hall	Holden
Lind	Nystrom	Priebe	Ritsema
Van Gilst	Welsh		

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 Lind, Briles and Nystrom for the remainder of the evening on request of Senator Hultman.

UNFINISHED BUSINESS

(Deferred March 15, 1984)

House File 2302

The Senate resumed consideration of House File 2302, a bill for an act amending the definition of "child abuse" for purposes of reporting, investigation, and rehabilitation to include permitting a child to engage in prostitution and sexually exploiting a child in certain other ways, deferred on March 15, 1984.

Senator Gentleman offered amendment S—5622 filed by her from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5622 was adopted by a voice vote.

With the adoption of amendment S—5622, the Chair ruled amendment S—5387 filed by Senator Gentleman on March 14, 1984, to page 1 and the title page of the bill, out of order.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2302) the vote was:

Ayes, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Goodwin	Gratias	Hester	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 11:

Briles	Gettings	Hall	Holden
Lind	Nystrom	Priebe	Ritsema
Taylor	Van Gilst	Welsh	

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

CONSIDERATION OF BILL (Regular Calendar)

House File 2380

On motion of Senator Gentleman, House File 2380, a bill for an act authorizing the dissemination of criminal history data to certain youth service agencies, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2380) the vote was:

Ayes, 37:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 13:

Briles	Drake	Gettings	Hall
Holden	Lind	Nystrom	Priebe
Ritsema	Schwengels	Taylor	Van Gilst
Welsh			

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 Drake and Schwengels for the remainder of the evening on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2424

On motion of Senator Holt, House File 2424, a bill for an act relating to expenses incurred by health care facilities in receivership and the liability of the receiver for the expenses and for suits filed against the receiver, with report of committee recommending passage, was taken up for consideration.

Senator Holt moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2424) the vote was:

Ayes, 34:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Rife	Rodgers	Slater
Small	Soorholtz	Tieden	Vande Hoef
Waldstein	Wells		

Nays, none.

Absent or not voting, 16:

Briles	Drake	Gettings	Hall
Holden	Hultman	Lind	Nystrom
Palmer	Priebe	Readinger	Ritsema
Schwengels	Taylor	Van Gilst	Welsh

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

House File 2167

On motion of Senator Vande Hoef, House File 2167, a bill for an act relating to the cost of permanent soil and water conservation

practices constructed under administrative order with public cost-sharing funds, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2167) the vote was:

Ayes, 37:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Goodwin
Gratias	Hester	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 13:

Briles	Drake	Gettings	Hall
Holden	Lind	Nystrom	Priebe
Ritsema	Schwengels	Taylor	Van Gilst
Welsh			

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

House File 2392

On motion of Senator Mann, House File 2392, a bill for an act relating to the psychological testing of law enforcement, corrections, parole, and probation officers and community correctional service workers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—5506 filed by the committee on Judiciary on March 26, 1984, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—5506 was adopted by a voice vote.

Senator Gentleman offered amendment S—5602 filed by her from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 8, nays 24.

Amendment S—5602 lost.

Senator Holt offered amendment S—5635 filed by Senators Holt and Miller of Cerro Gordo from the floor to page 1 of the bill.

Senator Holt asked and received unanimous consent that further action on amendment S—5635 and House File 2392 be deferred.

Senator Brown took the chair at 7:22 p.m.

BUSINESS PENDING

House File 2439

The Senate resumed consideration of House File 2439, previously deferred.

Senator Mann offered amendment S—5523 filed by the committee on Judiciary on March 26, 1984, to pages 2, 3 and the title page of the bill.

Senator Dieleman called for a division of amendment S—5523: lines 3, 4, 6 and 8 as division S—5523A and line 5 as division S—5523B.

Senator Mann moved the adoption of division S—5523A, which motion prevailed by a voice vote.

Senator Mann moved the adoption of division S—5523B, which motion prevailed by a voice vote.

With the adoption of divisions S—5523A and S—5523B, the Chair ruled amendment S—5501 filed by the committee on Judiciary on March 23, 1984, to pages 2 and 3 of the bill, out of order.

Senator Mann offered amendment S—5629 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5629 was adopted by a voice vote.

Senator Colton offered amendment S—5630 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5630 was adopted by the voice vote.

Senator Doyle offered amendment S—5636 filed by Senators Mann and Doyle from the floor to page 3 of the bill and moved its adoption.

Amendment S—5636 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2439) the vote was:

Ayes, 34:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gratias
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Vande Hoef
Waldstein	Wells		

Nays, 1:

Goodwin

Absent or not voting, 15:

Briles	Drake	Gettings	Hall
Holden	Hulse	Lind	Nystrom
Priebe	Ritsema	Schwengels	Taylor
Tieden	Van Gilst	Welsh	

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 2439 passed the Senate on March 28, 1984.

CALVIN O. HULTMAN

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hulse, Tieden and Gentleman for the remainder of the evening on request of Senator Hultman.

President Anderson took the chair at 7:45 p.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 2472.

House File 2472

On motion of Senator Carr, House File 2472, a bill for an act relating to the transportation of open containers of alcoholic beverages and beer, the hours of sale of alcoholic beverages and beer, the notification of parents or legal guardians of a child that appears before the court for a violation of section 123.47, the motor vehicle license or nonoperator's identification card issued to a person under nineteen years of age, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—5552 filed by the committee on State Government on March 27, 1984, to strike everything after the enacting clause of the bill.

Senator Slater offered amendment S—5628 filed by him from the floor to amendment S—5552 and moved its adoption.

Amendment S—5628 was adopted by a voice vote.

Senator Carr offered amendment S—5607 filed by him from the floor to amendment S—5552.

Senator Jensen asked and received unanimous consent that further action on amendment S—5552, amendment S—5607 to amendment S—5552 and House File 2472 be deferred.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that the following bills be immediately messaged to the House:

House Files 595, 2167, 2302, 2380, 2423, 2424, 2427, 2430, 2432 and 2468.

APPENDIX

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 434 passed the Senate on March 28, 1984.

C.W. BILL HUTCHINS

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5549 to House File 2466 was adopted by the Senate on March 28, 1984.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote which House File 2062 passed the Senate on March 28, 1984.

WM. W. (BILL) DIELEMAN

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 27, 1984, 5:55 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Deluhery, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Coleman (excused).

Other Committee Business: Discussed House File 2487.

Adjourned: 6:15 p.m.

STATE GOVERNMENT

Convened: March 23, 1984, 1:55 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Briles, Bruner, Dieleman, Drake, Rife and Soorholtz.

Members Absent: Nystrom, Ranking Member; Schwengels and Welsh (all excused), Coleman, Gettings and C. Miller.

Final Bill Action: HOUSE FILE 2472, a bill for an act relating to the transportation of open containers of alcoholic beverages and beer, the hours of sale of alcoholic beverages and beer, the notification of parents or legal guardians of a child that appears before the court for a violation of section 123.47, the motor vehicle license or nonoperator's identification card issued to a person under nineteen years of age, and providing penalties. (Bill placed on calendar March 27, 1984).

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5552 (filed March 27, 1984).

Final Vote: Ayes, 8: Slater, Carr, Briles, Bruner, Dieleman, Drake, Rife and Soorholtz. Nays, none. Absent or not voting, 6: Nystrom, Schwengels, Welsh, Coleman, Gettings and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: House File 2445 failed recommendation for passage.

Adjourned: 2:20 p.m.

STATE GOVERNMENT

Convened: March 28, 1984, 1:30 p.m.

Members Present: Slater, Chair; Carr, Vice Chair; Nystrom, Ranking Member; Briles, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: none.

Final Bill Action: HOUSE FILE 2217, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Slater, Carr, Nystrom, Bruner, Coleman, Dieleman, Drake, Gettings, C. Miller and Welsh. Nays, 4: Briles, Rife, Schwengels and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:45 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. David Youberg, M.D., Sac City, Iowa.

PRESENTATION OF VISITORS

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

Sixty-two students from Walhert and Hempstead Senior High Schools, Dubuque, Iowa, accompanied by Marge Reidy and Juli Geraghty. Senator Carr.

Twenty students from Central Webster Senior High School, Burnside, Iowa, accompanied by Jim Ainslie. Senator Coleman.

Twenty students from Nesco High School, Zeaaring, Iowa, accompanied by Jack Roberts. Senator Nystrom.

Thirty-two students from Crestland Junior-Senior High School, Early, Iowa, accompanied by Steve Steele and Mary Nehring. Senator Waldstein.

Twenty students from Clay Central High School, Royal, Iowa, accompanied by Lu Heller. Senator Holt.

Thirty students from Midland Community High School, Wyoming, Iowa. Senator Hulse.

Sixty students from Rudd-Rockford-Marble Rock High School, Rockford, Iowa. Senator Gratias.

AMENDMENTS FILED

S—5577	H.F.	2306	C.W. Bill Hutchins
S—5578	S. F.	2328	Wm. W. (Bill) Dieleman
S—5579	S. F.	2328	Wm. W. (Bill) Dieleman
S—5580	H.F.	2015	Wally E. Horn William D. Palmer
S—5581	H.F.	2211	Charles P. Miller Joe Brown James D. Wells C. Joseph Coleman Ray Taylor Richard Vande Hoef Milo Colton James E. Briles

S-5582	H.F.	2110	Julia Gentleman
S-5583	H.F.	2354	Arne Waldstein
			Tom Mann, Jr.
S-5584	S. F.	163	House Amendment
S-5585	S. F.	292	House Amendment
S-5586	S. F.	414	House Amendment
S-5587	S. F.	2059	House Amendment
S-5588	S. F.	2084	House Amendment
S-5589	S. F.	2091	House Amendment
S-5590	S. F.	2189	House Amendment
S-5591	S. F.	2328	James V. Gallagher
S-5592	S. F.	2328	Wm. W. (Bill) Dieleman
S-5593	H.F.	2015	Don Gettings
S-5594	H.F.	2470	Tom Mann, Jr.
S-5595	H.F.	422	Calvin O. Hultman
S-5596	H.F.	2471	James V. Gallagher
			Charles Bruner
			Joe Brown
			Norman G. Rodgers
			Calvin O. Hultman
			Milo Colton
			Bass Van Gilst
			Dale L. Tieden
			Charles P. Miller
S-5597	H.F.	2472	John W. Jensen
S-5598	H.F.	2062	Wm. W. (Bill) Dieleman
			John W. Jensen
S-5599	S. F.	2328	Wm. W. (Bill) Dieleman
S-5600	S. F.	2328	Wm. W. (Bill) Dieleman
S-5601	H.F.	2211	Julia Gentleman
S-5602	H.F.	2392	Julia Gentleman
S-5603	H.F.	2433	John W. Jensen
S-5604	H.F.	2472	Charles P. Miller
S-5605	H.F.	2015	Joe J. Welsh
S-5606	S. F.	2328	Jack Rife
S-5607	H.F.	2472	Bob Carr
S-5608	H.F.	2306	Ray Taylor
S-5609	H.F.	2306	Ray Taylor
S-5610	H.F.	2394	Charles P. Miller
			Tom Slater
			Bob Carr

			C.W. Bill Hutchins
			Ted Anderson
S-5611	S. F.	2328	George R. Kinley
			James V. Gallagher
S-5612	H.F.	2306	Ray Taylor
S-5613	H.F.	422	Ray Taylor
S-5614	H.F.	2487	John W. Jensen
S-5615	H.F.	2306	James V. Gallagher
S-5616	H.F.	2247	Arne Waldstein
			Alvin V. Miller
			James D. Wells
S-5617	H.F.	2306	Ray Taylor
S-5618	H.F.	422	Milo Colton
S-5619	H.F.	2279	Tom Mann, Jr.
			Julia Gentleman
S-5620	H.F.	2306	Ray Taylor
S-5621	H.F.	422	James D. Wells
S-5622	H.F.	2302	Julia Gentleman
S-5623	H.F.	2471	Milo Colton
S-5624	H.F.	2471	Milo Colton
S-5625	H.F.	2471	Milo Colton
S-5627	H.F.	2306	James V. Gallagher
S-5628	H.F.	2472	Tom Slater
S-5629	H.F.	2439	Tom Mann, Jr.
S-5630	H.F.	2439	Milo Colton
S-5631	H.F.	2465	Patrick J. Deluhery
S-5632	H.F.	2247	Milo Colton
S-5633	H.F.	2217	Julia Gentleman
S-5634	H.F.	2217	Charles Bruner
S-5635	H.F.	2392	Lee W. Holt
			Alvin V. Miller

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 8:05 p.m., until 9:00 a.m., Thursday, March 29, 1984.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 29, 1984

The Senate met in regular session at 9:25 a.m., President Anderson presiding.

Prayer was offered by the Reverend Roy Radloff, pastor of the Trinity Lutheran Church, Ottumwa, Iowa.

The Journal of Wednesday, March 28, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Husak for the morning session on request of Senator Junkins.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 29, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the name of Robert G. Holetz, West Des Moines, Polk County, Iowa, for appointment as Director of the Iowa Department of Job Service pursuant to Section 96.10, 1983 Code of Iowa, for a term beginning April 20, 1984, and serving at the pleasure of the Governor.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read and referred to the committee on Rules and Administration.

BILL REFERRED TO COMMITTEE

President Anderson announced that **House File 2217** was referred from the Regular Calendar to the committee on **Finance** under Senate Rule 38.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2136.

House File 2136

On motion of Senator Welsh, House File 2136, a bill for an act relating to the licensing and regulation of social workers, the deposit of license fees for the purpose of administration, and providing penalties for violations, with report of committee recommending passage, was taken up for consideration.

Senator Kinley took the chair at 9:52 a.m.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2136) the vote was:

Ayes, 34:

Anderson	Briles	Brown	Bruner
Carr	Colton	Dieleman	Doyle
Drake	Gallagher	Gettings	Hall
Horn	Hultman	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Vande Hoef	Van Gilst
Wells	Welsh		

Nays, 11:

Coleman	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hulse
Taylor	Tieden	Waldstein	

Absent or not voting, 5:

Deluhery
Ritsema

Husak

Lind

Palmer

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

Senator Junkins asked and received unanimous consent to take up out of order House File 2471.

House File 2471

On motion of Senator Colton, House File 2471, a bill for an act creating a hazardous waste remedial fund and providing for the cleanup of hazardous conditions and the management and cleanup of abandoned or uncontrolled hazardous waste disposal sites, with report of committee recommending passage, was taken up for consideration.

Senator Schwengels offered amendment S—5641 filed by him from the floor to pages 1, 7 and 8 of the bill and called for a division: lines 3 and 4 as division S—5641A; lines 5 and 6 as division S—5641B; and lines 7 through 9 as division S—5641C.

Senator Schwengels moved the adoption of division S—5641A.

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 19, nays 25.

Division S—5641A lost.

Senator Schwengels moved the adoption of division S—5641B.

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 20, nays 26.

Division S—5641B lost.

Senator Schwengels moved the adoption of division S—5641C.

A record roll call was requested.

On the question "Shall division S—5641C be adopted?" (H.F. 2471) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Briles	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Nystrom
Readinger	Rife	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein			

Nays, 26:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Hall
Horn	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Rodgers	Slater	Small
Wells	Welsh		

Absent or not voting, 3:

Husak	Lind	Ritsema
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Division S—5641C lost.

Senator Colton offered amendment S—5625 filed by him on March 28, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5625 was adopted by a voice vote.

Senator Gallagher offered amendment S—5596 filed by Senators Gallagher, et al., on March 28, 1984, to pages 3, 4, 10 and 14 of the bill.

Senator Gallagher moved the adoption of division S—5596: lines 3 through 16 as division S—5596A and lines 17 through 21 as division S—5596B.

Senator Gallagher moved the adoption of division S—5596A, which motion prevailed by a voice vote.

Senator Hultman asked and received unanimous consent that action on division S—5596B be deferred for preparation of an amendment.

Senator Colton offered amendment S—5623 filed by him on March 28, 1984, to page 4 of the bill and moved its adoption.

Amendment S—5623 was adopted by a voice vote.

Senator Colton offered amendment S—5624 filed by him on March 28, 1984, to page 8 of the bill and moved its adoption.

Amendment S—5624 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that further action on division S—5596B and House File 2471 be deferred.

UNFINISHED BUSINESS (Deferred March 15, 1984)

House File 2386

The Senate resumed consideration of House File 2386, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations, deferred on March 15, 1984.

Senator Welsh offered amendment S—5650 filed by him from the floor to pages 1 through 5 of the bill.

Senator Gratias called for a division of amendment S—5650:

Division S—5650A: Page 1 and page 2, lines 1 through 45.

Division S—5650B: Page 2, lines 46 through 50 and page 3, lines 1 through 10.

Senator Junkins asked and received unanimous consent that further action on divisions S—5650A and S—5650B and House File 2386 be deferred.

BUSINESS PENDING

House File 2471

The Senate resumed consideration of House File 2471 and division S—5596B to pages 3, 4, 10 and 14 of the bill, previously deferred.

Senator Hultman offered amendment S—5659 filed by him from the floor to division S—5596B and moved its adoption.

Amendment S—5659 was adopted by a voice vote.

Senator Gallagher moved the adoption of division S—5596B as amended, which motion prevailed by a voice vote.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2471) the vote was:

Ayes, 38:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Hall	Holt
Horn	Hulse	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Schwengels	Slater	Small
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, 9:

Briles	Gratias	Hester	Holden
Hultman	Jensen	Rife	Soorholtz
Taylor			

Absent or not voting, 3:

Husak	Lind	Ritsema
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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 Junkins asked and received unanimous consent that House Files 2136 and 2471 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 March 27, 1984, passed the following bills in which the concurrence of the House was asked:

Senate File 441, a bill for an act relating to eminent domain procedures by providing constructive notice to possible purchasers that land is subject to condemnation proceedings, clarifying responsibilities for recording condemnation proceedings, and specifying the time at which title to property or an interest in property passes following condemnation.

Senate File 480, a bill for an act relating to jurisdiction of the district court in the possible reconsideration of a felon's or misdemeanor's sentence.

Senate File 2002, a bill for an act relating to ownership rights to dies, molds, and forms.

Senate File 2021, a bill for an act relating to the tolling of a statute of limitations when restitution is ordered.

Senate File 2129, a bill for an act to make nonsubstantive corrections to the Code.

Senate File 2138, a bill for an act relating to the time within which to contest wills, file claims, make spousal elections and take certain other actions with respect to decedents' estates.

Senate File 2154, a bill for an act to extend the sunset provision on community action agencies to July 1, 1986.

Senate File 2184, a bill for an act relating to the qualifications of the superintendent of public instruction.

Senate File 2197, a bill for an act relating to the establishment and dissolution of a sanitary district.

Senate File 2205, a bill for an act relating to the fees for the registration of vessels.

Senate File 2221, a bill for an act relating to tests and standards for motor vehicle fuel.

Senate File 2243, a bill for an act specifying which claims paid to county employees must be published in official newspapers.

Senate File 2263, a bill for an act requiring the department of public instruction to adopt rules relating to the review of an action or mission relating to special education programs by state or local authorities.

Senate File 2283, a bill for an act relating to the death of a fire fighter during an arson and providing a penalty.

Senate File 2285, a bill for an act permitting the deposit of a credit union certified share draft as security on a bid for a contract for a public improvement.

Senate File 2297, a bill for an act relating to the payment of workers' compensation benefits in pneumoconiosis cases.

Senate File 2312, a bill for an act relating to the deposit of interest earnings in designated employee insurance funds.

ALSO: That the House has on March 27, 1984, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 347, a bill for an act providing for the issuance of special registration plates to former prisoners of war which contain the letters "POW" followed by three numerals at the regular registration fee (S-5647).

Senate File 449, a bill for an act relating to licensing private investigative agencies and private security agencies, and providing a penalty (S-5648).

Senate File 451, a bill for an act relating to enforcement of license discipline by the board of medical examiners (S-5649).

Senate File 465, a bill for an act relating to construction, repair, and improvement projects at institutions under the control of the department of social services (S-5651).

Senate File 511, a bill for an act relating to construction near a buried electric transmission line (S-5652).

Senate File 2104, a bill for an act relating to the collections of fines and penalties by a county attorney (S—5653).

Senate File 2213, a bill for an act relating to the authority of the department of water, air and waste management over waste water disposal systems (S—5654).

Senate File 2233, a bill for an act providing for the transfer of fiduciary accounts among affiliates and between independent banks (S—5655).

Senate File 2298, a bill for an act to require the state department of transportation to include all federal funds in its annual or biennial budget which funds are subject to appropriation to the department (S—5656).

Senate File 2301, a bill for an act relating to the protection of lienholders' and certificate holders' advancements (S—5657).

Senate File 2311, a bill for an act relating to access to records by the legislative fiscal bureau (S—5658).

RECESS

On motion of Senator Junkins, the Senate recessed at 12:05 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:49 p.m., Senator Coleman presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2015.

House File 2015

On motion of Senator Welsh, House File 2015, a bill for an act relating to the holding of games of skill, chance and raffles including bingo and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S—5580 filed by Senators Horn and Palmer on March 28, 1984, to pages 1, 6 and 9 of the bill.

Senator Gallagher offered amendment S—5645 filed by him from the floor to amendment S—5580.

Senator Dieleman raised the point of order that amendment S—5645 to amendment S—5580 was not germane.

The Chair ruled the point well taken and amendment S—5645 to amendment S—5580 out of order.

Senator Horn moved the adoption of amendment S—5580.

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 25, nays 24.

Amendment S—5580 was adopted.

President Anderson took the chair at 2:21 p.m.

Senator Anderson offered amendment S—5544 filed by him from the floor on March 27, 1984, to pages 1 and 6 of the bill.

Senator Rife raised the point of order that amendment S—5544 was not germane to the bill.

Senator Rife withdrew his point of order.

Senator Anderson moved the adoption of amendment S—5544.

A record roll call was requested.

On the question "Shall amendment S—5544 be adopted?" (H.F. 2015) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Anderson
Colton
Gettings

Brown
Deluhery
Hall

Carr
Doyle
Horn

Coleman
Gallagher
Husak

Hutchins
Mann
Priebe
Welsh

Junkins
Miller, A.V.
Rodgers

Kinley
Miller, C.P.
Slater

Lind
Palmer
Wells

Nays, 24:

Briles
Gentleman
Holden
Jensen
Schwengels
Tieden

Bruner
Goodwin
Holt
Nystrom
Small
Vande Hoef

Dieleman
Gratias
Hulse
Readinger
Soorholtz
Van Gilst

Drake
Hester
Hultman
Rife
Taylor
Waldstein

Absent or not voting, 1:

Ritsema

Amendment S—5544 was adopted.

Senator Gettings offered amendment S—5593 filed by him on March 28, 1984, to page 6 of the bill and moved its adoption.

Amendment S—5593 was adopted by a voice vote.

Senator Welsh offered amendment S—5605 filed by him on March 28, 1984, to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 21.

Amendment S—5605 was adopted.

Senator Junkins asked and received unanimous consent that further action on House File 2015 be deferred.

UNFINISHED BUSINESS (Deferred March 28, 1984)

House File 2472

The Senate resumed consideration of House File 2472, a bill for an act relating to the transportation of open containers of alcoholic beverages and beer, the hours of sale of alcoholic beverages and beer, the notification of parents or legal guardians of a child that appears before the court for a violation of section 123.47, the motor

vehicle license or nonoperator's identification card issued to a person under nineteen years of age, and providing penalties, amendment S—5552 by the committee on State Government and amendment S—5607 by Senator Carr to amendment S—5552, deferred on March 28, 1984.

Senator Jensen called for a division of amendment S—5607 to amendment S—5552:

Division S—5607A: Page 1, lines 4 through 6.

Division S—5607B: Page 1, lines 7 through 50 and page 2, lines 1 through 5.

Senator Carr moved the adoption of division S—5607A to amendment S—5552, which motion prevailed by a voice vote.

Senator Jensen asked and received unanimous consent that further action on division S—5607B to amendment S—5552 be deferred.

Senator Jensen offered amendment S—5597 filed by him on March 28, 1984, to amendment S—5552.

Senator Jensen asked and received unanimous consent that further action on amendment S—5597 to amendment S—5552 be deferred.

Senator Jensen offered amendment S—5661 filed by Senators Jensen and Dieleman from the floor to amendment S—5552 and called for a division: lines 3 through 9 as division S—5661A; lines 10 through 31 as division S—5661B and lines 32 through 34 as division S—5661C.

Senator Carr raised the point of order that division S—5661A to amendment S—5552 was not germane.

The Chair ruled the point well taken and division S—5661A to amendment S—5552 out of order.

Senator Carr raised the point of order that division S—5661B to amendment S—5552 was not germane.

The Chair ruled the point well taken and division S—5661B to amendment S—5552 out of order.

Senator Jensen moved the adoption of division S—5661C to amendment S—5552 and requested a record roll call.

On the question "Shall division S—5661C to amendment S—5552 be adopted?" (H.F. 2472) the vote was:

Ayes, 12:

Dieleman	Drake	Goodwin	Gratias
Hester	Holden	Hultman	Jensen
Schwengels	Taylor	Vande Hoef	Van Gilst

Nays, 37:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Doyle	Gallagher	Gentleman	Gettings
Hall	Holt	Horn	Hulse
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Tieden	Waldstein	Wells
Welsh			

Absent or not voting, 1:

Ritsema

Division S—5661C lost.

Senator Carr moved the adoption of division S—5607B to amendment S—5552, previously deferred.

Division S—5607B was adopted by a voice vote.

With the adoption of division S—5607B to amendment S—5552, the Chair ruled the following amendments out of order:

S—5597 by Senator Jensen to amendment S—5552, previously deferred.

S—5668 filed by Senator Holden from the floor to amendment S—5552.

Senator Carr offered amendment S—5639 filed by him on March 28, 1984, to amendment S—5552 and moved its adoption.

Amendment S—5639 was adopted by a voice vote.

With the adoption of amendment S—5639 to amendment S—5552, the Chair ruled amendment S—5638 filed by Senator Carr on March 28, 1984, to amendment S—5552, out of order.

Senator Miller of Des Moines offered amendment S—5604 filed by him on March 28, 1984, to amendment S—5552.

Senator Carr raised the point of order that amendment S—5604 to amendment S—5552 was not germane.

The Chair ruled the point well taken and amendment S—5604 to amendment S—5552 out of order.

Senator Gallagher offered amendment S—5640 filed by him on March 28, 1984, to amendment S—5552.

Senator Carr raised the point of order that amendment S—5640 to amendment S—5552 was not germane.

The Chair ruled the point well taken and amendment S—5640 to amendment S—5552 out of order.

Senator Carr moved the adoption of amendment S—5552 as amended, which motion prevailed by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2472) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Van Gilst	Waldstein
Wells	Welsh		

Nays, 2:

Holden Vande Hoef

Absent or not voting, 2:

Palmer Ritsema

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 2472 passed the Senate on March 29, 1984.

BOB CARR

BUSINESS PENDING

House File 2015

The Senate resumed consideration of House File 2015, previously deferred.

Senator Gallagher offered amendment S—5673 filed by him from the floor to page 1 of the bill and moved its adoption.

Senator Hultman raised the point of order that amendment S—5673 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5673 out of order.

Senator Miller of Des Moines offered amendment S—5675 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5675 was adopted by a voice vote.

Senator Welsh 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—5580 to House File 2015 was adopted by the Senate on March 29, 1984.

A non record roll call was requested.

The ayes were 36, nays 9.

The motion prevailed and amendment S—5580 by Senators Horn and Palmer to pages 1, 6 and 9 of the bill, was taken up for reconsideration.

Senator Junkins asked and received unanimous consent that further action on amendment S—5580 and House File 2015 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2491.

House File 2491

On motion of Senator Deluhery, House File 2491, a bill for an act relating to public utilities by providing, for an income tax checkoff for the low income home energy assistance program, the right of parties to appeal the final decision in a rate proceeding, the notification of the office of consumer advocate when a public utility is engaged in certain legal actions, procedures establishing excess electric generating capacity, the use of competitive bidding procedures by public utilities, by requiring investor-owned utilities to purchase combustible gas from municipalities under certain circumstances, making civil penalties applicable and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—5513 filed by the committee on Commerce on March 26, 1984, to pages 2 through 5 and the title page of the bill.

Senator Rodgers offered amendment S—5664 filed by Senators Rodgers, Tieden and Hall from the floor to amendment S—5513 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5664 to amendment S—5513 be adopted?" (H.F. 2491) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Briles	Dieleman	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Hulse	Hultman
Husak	Jensen	Lind	Miller, A.V.
Nystrom	Priebe	Rife	Rodgers
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	

Nays, 22:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gallagher	Hester	Horn	Hutchins
Junkins	Kinley	Mann	Miller, C.P.
Palmer	Readinger	Slater	Small
Wells	Welsh		

Absent or not voting, 1:

Ritsema

Amendment S—5664 was adopted.

With the adoption of amendment S—5664 to amendment S—5513, the Chair ruled amendment S—5551 filed by Senator Holden on March 27, 1984, to amendment S—5513, out of order.

Senator Deluhery moved the adoption of amendment S—5513 as amended, which motion prevailed by a voice vote.

Senator Gallagher amendment S—5676 filed by him from the floor 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—5676 be adopted?" (H.F. 2491) the vote was:

Ayes, 31:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Hall	Horn	Husak	Hutchins

Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Rodgers	Slater	Small	Van Gilst
Waldstein	Wells	Welsh	

Nays, 15:

Briles	Drake	Goodwin	Hester
Holden	Holt	Hulse	Hultman
Jensen	Lind	Readinger	Schwengels
Soorholtz	Taylor	Vande Hoef	

Absent or not voting, 4:

Gratias	Rife	Ritsema	Tieden
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Amendment S—5676 was adopted.

Senator Holden offered amendment S—5503 filed by him on March 23, 1984, to page 3 of the bill.

Senator Deluhery raised the point of order that amendment S—5503 was out of order.

The Chair ruled the point well taken and amendment S—5503 was ruled out of order.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2491) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Rodgers	Schwengels	Slater
Small	Taylor	Tieden	Van Gilst
Waldstein	Wells	Welsh	

Nays, 6:

Briles
Soorholtz

Jensen
Vande Hoef

Readinger

Rife

Absent or not voting, 1:

Ritsema

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 WITHDRAWN

House File 2415

Senator Gallagher withdrew the motion to reconsider House File 2415, a bill for an act providing for the creation of a home equity line of credit and priority of advances under mortgages securing the home equity line of credit, filed by him on March 28, 1984, and found on page 1107 of the Senate Journal.

UNFINISHED BUSINESS (Deferred March 22, 1984)

House File 2433

The Senate resumed consideration of House File 2433, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases, deferred on March 22, 1984.

Senator Brown took the chair at 4:51 p.m.

Senator Jensen withdrew amendment S—5603 filed by him from the floor on March 28, 1984, to page 1 of the bill.

Senator Hultman offered amendment S—5538 filed by him on March 27, 1984, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 27.

Amendment S—5538 lost.

Senator Anderson offered amendment S—5663 filed by Senators Anderson and Hultman from the floor to pages 5 and 7 of the bill and moved its adoption.

Amendment S—5663 was adopted by a voice vote.

Senator Anderson offered amendment S—5670 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—5670 was adopted by a voice vote.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2433) the vote was:

Ayes, 48:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Jenkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Rife

Ritsema

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

President Anderson took the chair at 5:09 p.m.

BUSINESS PENDING

House File 2015

The Senate resumed consideration of House File 2015 and amendment S—5580 to pages 1, 6 and 9 of the bill, previously deferred.

Senator Dieleman raised the point of order that amendment S—5580 was not germane to the bill.

Senator Dieleman withdrew his point of order.

Senator Horn moved the adoption of amendment S—5580.

A record roll call was requested.

On the question "Shall amendment S—5580 be adopted?" (H.F. 2015) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Anderson	Brown	Carr	Coleman
Colton	Doyle	Gallagher	Gettings
Hall	Horn	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Rodgers	Slater	Soorholtz	Wells
Welsh			

Nays, 24:

Briles	Bruner	Deluhery	Dieleman
Drake	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hulse
Hultman	Jensen	Nystrom	Readering
Rife	Schwengels	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein

Absent or not voting, 1:

Ritsema

Amendment S—5580 was adopted.

Senator Waldstein asked and received unanimous consent to withdraw amendment S—5679 filed by Senators Waldstein and Coleman from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2015) the vote was:

Ayes, 29:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Hall	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Slater	Small	Soorholtz	Wells
Welsh			

Nays, 19:

Drake	Goodwin	Gratias	Hester
Holden	Holt	Hulse	Hultman
Jensen	Lind	Nystrom	Readinger
Rife	Schwengels	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	

Absent or not voting, 2:

Briles Ritsema

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 2217.

House File 2217

On motion of Senator Horn, House File 2217, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties, with report of committee on Education recommending amendment and passage and report of Finance recommending passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that further action on **House File 2217** be deferred.

BILL RETURNED TO CALENDAR

Pursuant to unanimous consent received by Senator Junkins on March 26, 1984, on Senate Journal page 1043, **House File 2487** was returned to the Senate Regular Calendar from the committee on Judiciary.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 2487.

House File 2487

On motion of Senator Doyle, House File 2487, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and eliminating governmental immunity for certain public improvements and places, was taken up for consideration.

Senator Doyle asked and received unanimous consent that further action on **House File 2487** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 2436.

House File 2436

On motion of Senator Horn, House File 2436, a bill for an act relating to the licensure and operation of a hospice program, with

report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—5487 filed by Senators Miller of Des Moines, Slater and Horn on March 22, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5487 was adopted by a voice vote.

Senator Nystrom offered amendment S—5525 filed by him on March 26, 1984, to page 2 of the bill, moved its adoption and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 23, nays 23.

Amendment S—5525 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the remainder of the evening on request of Senator Junkins.

BUSINESS PENDING

The Senate resumed consideration of House File 2436.

Senator Small offered amendment S—5644 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5644 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F.*2436) the vote was:

Ayes, 32:

Anderson
Colton
Drake

Brown
Deluhery
Gallagher

Bruner
Dieleman
Gentleman

Carr
Doyle
Gettings

Hall
Hutchins
Miller, A. V.
Readinger
Soorholtz

Horn
Junkins
Nystrom
Schwengels
Van Gilst

Hulse
Kinley
Palmer
Slater
Wells

Husak
Manri
Priebe
Small
Welsh

Nays, 12:

Coleman
Holden
Rife

Goodwin
Holt
Taylor

Gratias
Hultman
Tieden

Hester
Lind
Waldstein

Absent or not voting, 6:

Briles
Rodgers

Jensen
Vande Hoef

Miller, C.P.

Ritsema

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 Holt, Holden, Vande Hoef, Jensen and Briles for the remainder of the evening on request of Senator Hultman.

UNFINISHED BUSINESS (Deferred March 28, 1984)

House File 2306

The Senate resumed consideration of House File 2306, a bill for an act permitting the conservation commission to alter or restrict the taking of wildlife, and amendment S—5577 by Senator Hutchins to page 1 of the bill, deferred on March 28, 1984.

Senator Taylor offered amendment S—5617 filed by him on March 28, 1984, to amendment S—5577 and moved its adoption.

Amendment S—5617 was adopted by a voice vote.

Senator Hutchins moved the adoption of amendment S—5577 as amended.

A non record roll call was requested.

The ayes were 20, nays 18.

Amendment S—5577 was adopted.

Senator Gallagher withdrew amendment S—5627 filed by him on March 28, 1984, to page 1 of the bill.

Senator Gallagher offered amendment S—5642 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 22, nays 14.

Amendment S—5642 was adopted.

Senator Gallagher withdrew amendment S—5615 filed by him on March 28, 1984, to page 1 of the bill.

Senator Gallagher withdrew amendment S—5643 filed by him from the floor to page 1 of the bill.

Senator Goodwin offered amendment S—5469 filed by him on March 22, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5469 was adopted by a voice vote.

Senator Taylor offered amendment S—5620 filed by him on March 28, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5620 lost by a voice vote.

The Chair ruled the following amendments out of order:

S—5608 filed by Senator Taylor on March 28, 1984, to page 1 of the bill.

S—5612 filed by Senator Taylor on March 28, 1984, to page 1 of the bill.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2306) the vote was:

Ayes, 39:

Anderson

Brown

Bruner

Carr

Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Goodwin	Hall	Hester	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A. V.
Miller, C. P.	Palmer	Priebe	Readinger
Rife	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Briles	Drake	Gratias	Holden
Holt	Horn	Jensen	Nystrom
Ritsema	Rodgers	Vande Hoef	

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 Junkins asked and received unanimous consent that House File 2487 be referred from the Unfinished Business Calendar to the committee on Judiciary and returned to the Senate Calendar by 1:30 p.m., Monday, April 2, 1984.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2501.

House File 2501

On motion of Senator Palmer, House File 2501, a bill for an act relating to the supervision, rehabilitation, and liquidation of insurance companies and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2501) the vote was:

Ayes, 38:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Goodwin	Hall	Hester	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A. V.,	Palmer	Priebe	Readinger
Rife	Slater	Small	Soorholtz
Taylor	Tieden	Van Gilst	Waldstein
Wells	Welsh		

Nays, 1:

Miller, C.P.

Absent or not voting, 11:

Briles	Drake	Gratias	Holden
Holt	Jensen	Nystrom	Ritsema
Rodgers	Schwengels	Vande Hoef	

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

APPENDIX

COMMUNICATIONS

The following communications were received and placed on file in the office of the Secretary of the Senate:

IOWA RAILWAY FINANCE AUTHORITY

On March 28, 1984, received a copy of the 1983 annual report of the Iowa Railway Finance Authority, pursuant to Subsection 307B.8(6), of the Code of Iowa.

IOWA OFFICE FOR PLANNING AND PROGRAMMING

On March 29, 1984, received a copy of the Office for Planning and Programming's monthly economic indicators report, pursuant to Subsection 7A.3(4), of the Code of Iowa.

Additional copies available to members upon request.

CERTIFICATES OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificates of recognition have been issued as follows:

Lawrence "Doc" Bates (Induction in the Officials Hall of Fame)—For your many years of officiating in Iowa Sports Events. Senator Gettings. (March 17, 1984.)

Lewis Dye (For receiving the Lyle T. Quinn Award)—For the many years of service to the Iowa High School Athletic Association. Senator Gettings. (March 17, 1984.)

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Wednesday, March 28, 1984.

Had I been present, I would have voted "aye" on House Files 2167, 2302, 2380, 2424, 2427, 2432 and 2439.

DON E. GETTINGS

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2062 passed the Senate on March 28, 1984.

CHARLES BRUNER

MR. PRESIDENT: I move to reconsider the vote by which House File 2439 passed the Senate on March 28, 1984.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5582 to House File 2110 was adopted by the Senate on March 28, 1984.

JULIA GENTLEMAN

BILL ASSIGNED TO COMMITTEE

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

S. C.R. 110 Human Resources

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 21, 1984, 11:00 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair and Hutchins.

Members Absent: Lind, Ranking Member (excused) and Nystrom.

Recessed: 12:00 noon.

Reconvened: March 29, 1984, 8:06 a.m.

Members Present: Horn, Chair; Van Gilst, Vice Chair; Hutchins and Nystrom.

Members Absent: Lind, Ranking Member (excused).

Other Committee Business: Discussed and passed appropriations bill to the full Appropriations committee.

Adjourned: 9:00 a.m.

FINANCE

Convened: March 29, 1984, 1:35 p.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Holden, Junkins, Palmer, Small and Tieden.

Members Absent: none.

Final Bill Action: HOUSE FILE 2217, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal and to prescribe their duties.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Rodgers, Hutchins, Junkins, Palmer and Small. Nays, 3: Hultman, Holden and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2391, a bill for an act relating to license fees, inspection fees, and other fees charged by the commerce commission under chapters 542 and 543.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Rodgers, Hutchins, Hultman, Holden, Junkins, Palmer, Small and Tieden. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2467, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain child support debts.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Rodgers, Hutchins, Hultman, Holden, Junkins, Palmer, Small and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:47 p.m.

NATURAL RESOURCES

Convened: March 29, 1984, 8:59 a.m.

Members Present: Van Gilst, Chair; Rodgers, Vice Chair; Schwengels, Ranking Member; Doyle, Goodwin, Hester, Priebe and Rife.

Members Absent: Gettings and Hall (both excused).

Final Bill Action: HOUSE FILE 2387, a bill for an act relating to the authority of the department of water, air and waste management over public water supply systems.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Van Gilst, Rodgers, Schwengels, Doyle, Goodwin, Hester, Priebe and Rife. Nays, none. Absent or not voting, 2: Gettings and Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 9:03 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Milo Merritt, former member of the Senate from Mitchell County, who was present in the Senate chamber.

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

Forty student council members from Holmes Junior High School, Cedar Falls, Iowa, accompanied by Dave Andreasen and Phyllis Carter. Senator Anderson.

Forty-six students from Hanawalt Elementary School, Des Moines, Iowa, accompanied by Sue Renaud. Senator Gentleman.

Thirty-two students from Glidden-Ralston Junior-Senior High School, Glidden, Iowa, accompanied by Denny Ploeger and Larry Littlefield. Senator Nystrom.

Senator Tieden presented Bernard Wegmueller, an exchange student from Bern, Switzerland, accompanied by his parents, Eric and Marlice, and his sister Christine. He was also accompanied by Mrs. Harold Marti, his host.

AMENDMENTS FILED (March 28, 1984)

S—5636	H.F.	2439	Tom Mann, Jr. Donald V. Doyle
S—5637	H.F.	2392	Richard Vande Hoef
S—5638	H.F.	2472	Bob Carr

S-5639	H.F.	2472	Bob Carr
S-5640	H.F.	2472	James V. Gallagher

AMENDMENTS FILED

(March 29, 1984)

S-5641	H.F.	2471	Forrest V. Schwengels
S-5642	H.F.	2306	James V. Gallagher
S-5643	H.F.	2306	James V. Gallagher
S-5644	H.F.	2436	Arthur A. Small, Jr.
S-5645	H.F.	2015	James V. Gallagher
S-5646	S. F.	2328	Arthur L. Gratias
S-5647	S. F.	347	House Amendment
S-5648	S. F.	449	House Amendment
S-5649	S. F.	451	House Amendment
S-5650	H.F.	2386	Joe J. Welsh
S-5651	S. F.	465	House Amendment
S-5652	S. F.	511	House Amendment
S-5653	S. F.	2104	House Amendment
S-5654	S. F.	2213	House Amendment
S-5655	S. F.	2233	House Amendment
S-5656	S. F.	2298	House Amendment
S-5657	S. F.	2301	House Amendment
S-5658	S. F.	2311	House Amendment
S-5659	H.F.	2471	Calvin O. Hultman
S-5660	S. F.	2110	Edgar H. Holden
S-5661	H.F.	2472	John W. Jensen
			Wm. W. (Bill) Dieleman
S-5662	H.F.	2100	Hurley W. Hall
S-5663	H.F.	2433	Ted Anderson
			Calvin O. Hultman
S-5664	H.F.	2491	Norman G. Rodgers
			Dale L. Tieden
			Hurley W. Hall
S-5665	H.F.	2392	Wm. W. (Bill) Dieleman
S-5666	H.F.	2217	James V. Gallagher
S-5667	H.F.	2217	Arthur L. Gratias
			Wm. W. (Bill) Dieleman
			Ray Taylor
			Bass Van Gilst
			Hurley W. Hall

			John W. Jensen
			Emil J. Husak
			Thomas A. Lind
S—5668	H.F.	2472	Edgar H. Holden
S—5669	H.F.	2217	Arthur A. Small, Jr.
S—5670	H.F.	2433	Ted Anderson
S—5671	H.F.	2217	Wally E. Horn
S—5672	H.F.	2217	Wally E. Horn
S—5673	H.F.	2015	James V. Gallagher
S—5674	H.F.	405	Forrest V. Schwengels
			John E. Soorholtz
S—5675	H.F.	2015	Charles P. Miller
S—5676	H.F.	2491	James V. Gallagher
S—5677	H.F.	2392	Wm. W. (Bill) Dieleman
			Julia Gentleman
S—5678	H.F.	2189	John W. Jensen
S—5679	H.F.	2015	Arne Waldstein
			C. Joseph Coleman
S—5680	H.F.	422	Edgar H. Holden
S—5681	H.F.	2478	Arne Waldstein
			Alvin V. Miller
S—5682	H.F.	2217	Arne Waldstein
S—5683	H.F.	2217	Arthur A. Small, Jr.
			Joe Brown
			Arthur L. Gratias
			Emil J. Husak
S—5684	H.F.	2500	Charles Bruner
			Berl E. Priebe
S—5685	H.F.	2465	Patrick J. Deluhery

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:50 p.m., until 8:00 a.m., Friday, March 30, 1984.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 30, 1984

The Senate met in regular session at 8:05 a.m., President Anderson presiding.

Prayer was offered by the Reverend Don Frank, pastor of the First United Methodist Church, Jefferson, Iowa.

The Journal of Thursday, March 29, 1984, was approved.

MOTION TO RECONSIDER WITHDRAWN

House File 2439

Senator Hultman withdrew the motion to reconsider House File 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties, filed by him on March 28, 1984, and found on page 1135 of the Senate Journal.

QUORUM CALL

Senator Junkins 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 RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Concurrent Resolution 107.

House Concurrent Resolution 107

On motion of Senator Hester, House Concurrent Resolution 107, a concurrent resolution urging the state executive council and historical department to accept an offered gift of historic property, with report of committee recommending passage, was taken up for consideration.

Senator Hester moved the adoption of House Concurrent Resolution 107, which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION (Noncontroversial Calendar)

Senate Resolution 106

On motion of Senator Tieden, Senate Resolution 106, a resolution requesting a change in the national standards for the composition of milk to require a higher milkfat and milk solids-not-fat content, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman offered amendment S—5386 filed by Senators Dieleman and Kinley on March 14, 1984, to page 2 of the resolution.

Senator Gettings raised the point of order that amendment S—5386 was not germane to the resolution.

The Chair ruled the point not well taken and amendment S—5386 in order.

Senator Dieleman moved the adoption of amendment S—5386.

A non record roll call was requested.

The ayes were 16, nays 22.

Amendment S—5386 lost.

Senator Tieden moved the adoption of Senate Resolution 106, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 106

On motion of Senator Schwengels, Senate Concurrent Resolution 106, a concurrent resolution citing legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services as drafted in accordance with Public Law 94-519, was taken up for consideration.

Senator Schwengels asked and received unanimous consent that further action on Senate Concurrent Resolution 106 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 573.

House File 573

On motion of Senator Holt, House File 573, a bill for an act providing for the disposition of personal property in the possession of the department of public safety, with report of committee recommending passage, was taken up for consideration.

Senator Holt moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 573) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Rodgers	Slater	Soorholtz	Taylor
Vande Hoef	Van Gilst	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Briles	Gallagher	Holden	Lind
Nystrom	Ritsema	Schwengels	Small
Tieden	Waldstein		

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

CONSIDERATION OF RESOLUTION (Noncontroversial Calendar)

House File 2189

On motion of Senator Dieleman, House File 2189, a bill for an act creating a commission on children, youth, and families and providing its purpose and duties, with report of committee recommending passage, was taken up for consideration.

Senator Jensen offered amendment S—5678 filed by him on March 29, 1984, to page 4 of the bill and moved its adoption.

Amendment S—5678 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2189) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Horn	Hulse	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Schwengels
Slater	Small	Sporholtz	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 5:

Holden	Holt	Hultman	Taylor
Tieden			

Absent or not voting, 5:

Briles
Rodgers

Lind

Nystrom

Ritsema

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

MOTION TO RECONSIDER WITHDRAWN

House File 2439

Senator Mann withdrew the motion to reconsider House File 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties, filed by him on March 29, 1984, and found on page 1171 of the Senate Journal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 422.

House File 422

On motion of Senator Bruner, House File 422, a bill for an act relating to joint exercise of powers by public agencies for public works and facilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S-5515 filed by the committee on Commerce on March 26, 1984, to pages 1 and 2 of the bill.

Senator Holden offered amendment S—5680 filed by him on March 29, 1984, to amendment S—5515 and moved its adoption.

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 25, nays 22.

Amendment S—5680 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

House File 422

The Senate resumed consideration of House File 422 and amendment S—5515 as amended.

Senator Hultman offered amendment S—5595 filed by him on March 28, 1984, to amendment S—5515.

Senator Hutchins raised the point of order that amendment S—5595 to amendment S—5515 was not germane.

Senator Hutchins withdrew his point of order.

Senator Hultman moved the adoption of amendment S—5595 to amendment S—5515.

A non record roll call was requested.

The ayes were 19, nays 27.

Amendment S—5595 lost.

Senator Dieleman 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—5680 to amendment S—5515 to House File 422 was adopted by the Senate on March 30, 1984.

A non record roll call was requested.

The ayes were 26, nays 21.

The motion prevailed and amendment S—5680 to amendment S—5515 was taken up for reconsideration.

Senator Holden moved the adoption of amendment S—5680 to amendment S—5515.

A non record roll call was requested.

The ayes were 21, nays 24.

Amendment S—5680 lost.

Senator Bruner moved the adoption of amendment S—5515, which motion prevailed by a voice vote.

Senator Colton offered amendment S—5618 filed by him on March 28, 1984, to page 1 of the bill.

Senator Bruner raised the point of order that amendment S—5618 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5618 out of order.

Senator Wells offered amendment S—5621 filed by him on March 28, 1984, to page 1 of the bill.

Senator Bruner raised the point of order that amendment S—5621 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5621 out of order.

Senator Taylor offered amendment S—5613 filed by him on March 28, 1984, to page 1 of the bill.

Senator Bruner raised the point of order that amendment S—5613 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5613 out of order.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 422) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Van Gilst	Waldstein
Wells	Welsh		

Nays, 2:

Coleman Gentleman

Absent or not voting, 6:

Lind	Nystrom	Readinger	Ritsema
Tieden	Vande Hoef		

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House Concurrent Resolution 107**, and **House Files 422 and 573** be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2348, 2385 and 2467.

House File 2348

On motion of Senator Mann, House File 2348, a bill for an act relating to correctional procedures by expanding the

circumstances under which home work release may be granted, providing for the duty of counties to comply with state requests for temporary confinement of alleged parole or work release violators, allowing a designee of the warden or superintendent to hear appeals of hearing officers, extending the time for the board of directors of a judicial district department of correctional services to file its annual report, and providing for the penalty of contempt for violations of parole, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kinley took the chair at 10:00 a.m.

Senator Mann offered amendment S—5457 filed by the committee on Judiciary on March 21, 1984, to page 3 of the bill and moved its adoption.

Amendment S—5457 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2348) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gentleman	Lind	Nystrom	Ritsema
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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 2385

On motion of Senator Taylor, House File 2385, a bill for an act relating to the frequency of inspection of grain dealers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—5516 filed by the committee on Agriculture on March '26, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5516 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2385) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Lind	Nystrom	Ritsema
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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 2467

On motion of Senator Mann, House File 2467, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain child support debts, with

reports of committees on Judiciary and Finance recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5571 filed by him on March 27, 1984, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5571 was adopted by a voice vote.

With the adoption of amendment S—5571, the Chair ruled amendment S—5505 filed by Senator Mann on March 23, 1984, to strike everything after the enacting clause of the bill, out of order.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2467) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Hall	Hester
Holden	Holt	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 3:

Dieleman	Gratias	Tieden
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Absent or not voting, 3:

Hultman	Nystrom	Ritsema
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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 Junkins asked and received unanimous consent to take up out of order House File 2500.

House File 2500

On motion of Senator Bruner House File 2500, a bill for an act to establish a farm mortgage interest loan program to be administered by the family farm development authority to provide no-interest loans to farmers for the period of one year to assist farmers in paying the interest costs of farm mortgage loans, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—5684 filed by Senators Bruner and Priebe on March 29, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5684 was adopted by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2500) the vote was:

Ayes, 36:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Hall	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Schwengels
Slater	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Welsh

Nays, 11:

Gentleman	Goodwin	Hester	Holden
Holt	Hulse	Jensen	Readinger
Rife	Small	Waldstein	

Absent or not voting, 3:

Gratias	Nystrom	Ritsema
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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 Junkins asked and received unanimous consent that House Files 2348, 2385 and 2467 be immediately messaged to the House.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2500 passed the Senate on March 30, 1984.

CHARLES BRUNER

REQUEST FOR UNANIMOUS CONSENT
(Governor's Appointee)

Senator Anderson asked and received unanimous consent that James A. McClimon, Governor's appointee to the Public Employment Relations Board, be excused from introduction before the Senate.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 2391.

House File 2391

On motion of Senator Hutchins, House File 2391, a bill for an act relating to license fees, inspection fees, and other fees charged by the commerce commission under chapters 542 and 543, with reports of committees on Agriculture and Finance recommending passage, was taken up for consideration.

Senator Hutchins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2391) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Digleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gratias	Hultman	Nystrom	Ritsema
Slater			

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

CONSIDERATION OF BILL (Noncontroversial Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 558.

House File 558

On motion of Senator Soorholtz, House File 558, a bill for an act revising Iowa's aid to dependent children law to conform to federal law and the practices of the department of human services, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—5392 filed by the committee on Human Resources on March 14, 1984, to page 7 of the bill and moved its adoption.

Amendment S—5392 was adopted by a voice vote.

Senator Miller of Des Moines offered amendment S—5398 filed by him on March 14, 1984, to page 2 of the bill.

Senator Soorholtz raised the point of order that amendment S—5398 was not germane to the bill.

Senator Soorholtz withdrew his point of order.

Senator Miller of Des Moines moved the adoption of amendment S—5398, which motion prevailed by a voice vote.

Senator Miller of Des Moines offered amendment S—5542 filed by him on March 27, 1984, to page 9 of the bill and moved its adoption.

Amendment S—5542 was adopted by a voice vote.

Senator Soorholtz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 558) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Goodwin
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Briles	Gallagher	Gettings	Gratias
Nystrom	Rife	Ritsema	

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

MOTIONS TO RECONSIDER WITHDRAWN**House File 2015**

Senator Dieleman withdrew the motion to reconsider House File 2015, a bill for an act relating to the holding of games of skill, chance, and raffles including bingo and providing penalties, filed by him on March 29, 1984.

Senator Welsh withdrew the motion to reconsider House File 2015 filed by him on March 29, 1984.

Senator Junkins asked and received unanimous consent to withdraw the motion to reconsider House File 2015 filed by Senator Horn on March 29, 1984.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that House File 2015 be immediately messaged to the House.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order House File 2048.

House File 2048

On motion of Senator Gettings, House File 2048, a bill for an act relating to conservation easements, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2048) the vote was:

Ayes, 45:

Anderson
Coleman
Doyle
Gettings

Brown
Colton
Drake
Goodwin

Bruner
Deluhery
Gallagher
Hall

Carr
Dieleman
Gentleman
Hester

Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Briles	Gratias	Nystrom	Rife
Ritsema			

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 Gratias for the remainder of the day on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2339, 2478, 2459, 2100 and 2387.

House File 2339

On motion of Senator Priebe, House File 2339, a bill for an act relating to roads by providing that the use of new roads not officially opened to traffic is prohibited, by specifying the authority of peace officers on these roads, by limiting liability of the highway authority having jurisdiction over these roads for claims arising out of unauthorized use of the roads, and by providing penalties for violations, with report of committee recommending passage, was taken up for consideration.

Senator Gallagher offered amendment S—5687 filed by him from the floor to page 1 of the bill.

Senator Priebe asked and received unanimous consent that further action on amendment S—5687 and House File 2339 be deferred.

House File 2478

On motion of Senator Waldstein, House File 2478, a bill for an act relating to the administration of special assessments and other property tax laws, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Waldstein offered amendment S—5499 filed by the committee on Local Government on March 23, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5499 was adopted by a voice vote.

Senator Waldstein offered amendment S—5681 filed by Senators Waldstein and Miller of Cerro Gordo on March 29, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5681 was adopted by a voice vote.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2478) the vote was:

Ayes, 42:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Hall	Holden
Holt	Horn	Hulse	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Briles	Gratias	Hester	Hultman
Mann	Nystrom	Ritsema	Schwengels

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

House File 2459

On motion of Senator Mann, House File 2459, a bill for an act allowing a vendor to charge for reasonable attorneys fees in the forfeiture of a real estate contract, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—5508 filed by the committee on Judiciary on March 26, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5508 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2459) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Hall	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 3:

Gentleman	Holden	Hulse
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Absent or not voting, 4:

Briles	Gratias	Nystrom	Ritsema
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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 2100

On motion of Senator Hall, House File 2100, a bill for an act relating to the location and operation of anhydrous ammonia plants and defining nuisance as the term relates to the plants, with report of committee recommending passage, was taken up for consideration.

Senator Hall offered amendment S—5662 filed by him on March 29, 1984, to strike everything after the enacting clause of the bill.

Senator Gallagher asked and received unanimous consent that further action on amendment S—5662 and House File 2100 be deferred.

House File 2387

On motion of Senator Rife, House File 2387, a bill for an act relating to the authority of the department of water, air and waste management over public water supply systems, with report of committee recommending passage, was taken up for consideration.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2387) the vote was:

Ayes, 44:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Anderson	Briles	Gratias	Mann
Nystrom	Ritsema		

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 Junkins asked and received unanimous consent that **House File 2339** be referred from the Unfinished Business Calendar to the committee on **Transportation**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2354, 405, 580, 2470, 2489, 224 and 2187.

House File 2354

On motion of Senator Mann, House File 2354, a bill for an act relating to the purchase of equipment and supplies by the board of trustees of a county public hospital, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5583 filed by Senators Waldstein and Mann on March 28, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5583 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that further action on **House File 2354** be deferred.

House File 405

On motion of Senator Miller of Des Moines, House File 405, a bill for an act relating to the qualifications for certified public accountants, with report of committee recommending passage, was taken up for consideration.

Senator Schwengels offered amendment S—5674 filed by Senators Schwengels and Soorholtz on March 29, 1984, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 13.

Amendment S—5674 was adopted.

Senator Miller of Des Moines moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 405) the vote was:

Ayes, 35:

Anderson	Brown	Carr	Colton
Deluhery	Dieleman	Doyle	Drake
Gallagher	Gettings	Goodwin	Hall
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Rodgers	Schwengels
Slater	Soorholtz	Tieden	Vande Hoef
Van Gilst	Waldstein	Welsh	

Nays, 9:

Bruner	Coleman	Gentleman	Hester
Holden	Readinger	Small	Taylor
Wells			

Absent or not voting, 6:

Briles	Gratias	Hulse	Nystrom
Rife	Ritsema		

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

House File 580

On motion of Senator Welsh, House File 580, a bill for an act relating to the authority of licensing boards under the continuing education chapter, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 580) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Gratias	Nystrom	Ritsema
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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 2470

On motion of Senator Mann, House File 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5690 filed by him from the floor to pages 1 and 2 of the bill.

Senator Coleman asked unanimous consent that House File 2470 be referred to the committee on Judiciary.

Senator Coleman withdrew his request.

Senator Coleman asked and received unanimous consent that further action on amendment S—5690 and **House File 2470** be deferred.

House File 2489

On motion of Senator Mann, House File 2489, a bill for an act relating to the establishment of mandatory supervised release for inmates and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that further action on **House File 2489** be deferred.

House File 224

On motion of Senator Goodwin, House File 224, a bill for an act relating to the listing of dogs and collection of license fees by the assessor, with report of committee recommending passage, was taken up for consideration.

Senator Brown offered amendment S—5512 filed by him on March 26, 1984, to the title page of the bill and moved its adoption.

Amendment S—5512 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that further action on **House File 224** be deferred.

House File 2187

On motion of Senator Miller of Des Moines, House File 2187, a bill for an act to increase the filing or recording fee collected by the county recorder, 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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2187) the vote was:

Ayes, 36:

Anderson	Brown	Bruner	Carr
Coleman	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Readinger	Rife	Rodgers

Schwengels
Vande Hoef

Slater
Waldstein

Small
Wells

Soorholtz
Welsh

Nays, 7:

Colton
Priebe

Gallagher
Taylor

Gentleman
Tieden

Holden

Absent or not voting, 7:

Briles
Palmer

Gratias
Ritsema

Jensen
Van Gilst

Nystrom

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

BUSINESS PENDING

House File 2354

The Senate resumed consideration of House File 2354, previously deferred.

Senator Gallagher withdrew amendment S—5693 filed by him from the floor to strike everything after the enacting clause of the bill.

Senator Gallagher asked and received unanimous consent that further action on House File 2354 be deferred.

UNFINISHED BUSINESS (Deferred March 29, 1984)

House File 2386

The Senate resumed consideration of House File 2386, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations, and divisions S—5650A and S—5650B to pages 1 through 5 of the bill, deferred on March 29, 1984.

Senator Welsh moved the adoption of division S—5650A, which motion prevailed by a voice vote.

President Anderson took the chair at 1:36 p.m.

Senator Welsh moved the adoption of division S—5650B.

A record roll call was requested.

On the question "Shall division S—5650B be adopted?" (H.F. 2386) 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	Bruner	Carr
Coleman	Colton	Deluhery	Gallagher
Gettings	Holden	Holt	Kinley
Palmer	Priebe	Slater	Small
Vande Hoef	Waldstein	Wells	Welsh

Nays, 21:

Dieleman	Doyle	Gentleman	Goodwin
Hall	Hester	Horn	Hulse
Hultman	Husak	Hutchins	Junkins
Lind	Miller, A.V.	Miller, C.P.	Readinger
Rife	Schwengels	Soorholtz	Taylor
Tieden			

Absent or not voting, 9:

Briles	Drake	Gratias	Jensen
Mann	Nystrom	Ritsema	Rodgers
Van Gilst			

Division S—5650B lost.

Senator Hall offered amendment S—5415 filed by him from the floor on March 15, 1984, to page 4 of the bill and moved its adoption.

Amendment S—5415 was adopted by a voice vote.

Senator Coleman offered amendment S—5353 filed by him on March 12, 1984, to page 5 of the bill and moved its adoption.

Amendment S—5353 was adopted by a voice vote.

Senator Waldstein offered amendment S—5366 filed by Senators Waldstein, Welsh and Drake on March 13, 1984, to page 5 of the bill and moved its adoption.

Amendment S—5366 was adopted by a voice vote.

Senator Gentleman filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which division S—5650B to House File 2386 failed to be adopted by the Senate on March 30, 1984.

Senator Hultman asked and received unanimous consent that further action on the motion to reconsider division S—5650B and House File 2386 be deferred.

UNFINISHED BUSINESS (Deferred March 28, 1984)

House File 2247

The Senate resumed consideration of House File 2247, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties, deferred on March 28, 1984.

Senator Colton offered amendment S—5632 filed by him on March 28, 1984, 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.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 20.

Amendment S—5632 was adopted.

With the adoption of amendment S—5632, the Chair ruled amendment S—5688 filed by Senator Welsh from the floor to strike everything after the enacting clause and to the title page of the bill, out of order.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2247) the vote was:

Ayes, 32:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Priebe	Readinger	Rodgers	Slater
Small	Soorholtz	Taylor	Welsh

Nays, 8:

Goodwin	Miller, A. V.	Miller, C. P.	Rife
Tieden	Vande Hoef	Waldstein	Wells

Absent or not voting, 10:

Briles	Gallagher	Gratias	Hulse
Jensen	Nystrom	Palmer	Ritsema
Schwengels	Van Gilst		

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that House Files 405, 558, 580, 2048, 2187, 2189, 2247, 2387, 2391, 2459 and 2478 be immediately messaged to the House..

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House Files 2334 and 2180.

House File 2334

On motion of Senator Doyle, House File 2334, a bill for an act relating to the definition of burglary and attempted burglary, with

report of committee recommending passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent that further action on **House File 2334** be deferred.

House File 2180

On motion of Senator Miller of Des Moines, House File 2180, a bill for an act relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, allowing a county treasurer to issue, under certain circumstances, a restricted certificate of title to a person who was issued a junking certificate, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines asked and received unanimous consent that further action on **House File 2180** be deferred.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 29, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the name of Joe Ann Lutz, Des Moines, Polk County, Iowa, for appointment to the Iowa Real Estate Commission pursuant to Section 117.8, 1983 Code of Iowa, for a three-year term beginning May 1, 1984, and ending April 30, 1987.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 2332, by Junkins and Hultman, a bill for an act relating to the Iowa housing finance authority by changing the definitions of "small business" and "dominant in its field of operation" for the small business loan program and increasing the bonding capacity.

Read first time and passed on file.

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 March 28, 1984, passed the following bills in which the concurrence of the House was asked:

Senate File 505, a bill for an act relating to the value of property for purposes of certain crimes and certain penalties.

Senate File 2053, a bill for an act specifying the number of affirmative votes of the board of directors of the Iowa product development corporation that are necessary before action may be taken by the board.

Senate File 2116, a bill for an act to provide resale rights to a holder of a farm implement or parts franchise upon termination of the franchise.

Senate File 2163, a bill for an act relating to child custody.

Senate File 2202, a bill for an act relating to the procedure required for a savings and loan association chartered in another state or country to transact business in Iowa.

Senate File 2222, a bill for an act allowing a city to redraw precinct lines when adopting a system which provides for election of council members from wards or when changing the number of council members who are elected from wards.

Senate File 2295, a bill for an act prohibiting reductions in sick leave, vacation leave, or compensatory time entitlements while an employee is receiving weekly workers' compensation benefits.

Senate File 2304, a bill for an act relating to penalties for fraudulently obtaining, manufacturing, delivering, or possessing with intent to manufacture or deliver, a controlled substance.

ALSO: That the House has on March 28, 1984, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 176, a bill for an act relating to the allocation of funds to regional libraries (S—5695).

Senate File 517, a bill for an act relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty (S—5696).

Senate File 2098, a bill for an act relating to the liability for torts committed by offenders assigned to perform unpaid community service (S—5697).

Senate File 2101, a bill for an act relating to the commitment of children beyond their eighteenth birthday to the state training school (S—5698).

Senate File 2159, a bill for an act to allow limited child modeling under the child labor laws (S—5699).

Senate File 2212, a bill for an act relating to pay scale standards for members of the Iowa national guard (S—5700).

Senate File 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions (S—5701).

Senate File 2228, a bill for an act prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home (S—5702).

Senate File 2248, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals and providing penalties and authorizing the department of water, air and waste management to adopt hazardous waste rules in respect to hazardous chemicals which are more restrictive than, but consistent with, federal requirements (S—5703).

Senate File 2261, a bill for an act relating to the powers of state-chartered savings and loan associations (S—5704).

Senate File 2277, a bill for an act relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or optometric corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses and providing an effective date (S—5705).

Senate File 2294, a bill for an act relating to the examination of government records by providing for the procedures for their examination, for enforcement of those procedures, for the availability of certain records, and for the duties of the lawful custodians and providing for civil damages (S—5706).

Senate File 2310, a bill for an act relating to payments to state employees for accrued sick leave and disability (S—5707).

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 2234

Local Government
(Reassigned)
Wells, Chair
Colton
Vande Hoef

HOUSE FILE 426

Labor & Industrial Relations
Anderson, Chair
Gettings
Hulse

HOUSE FILE 2427

Judiciary
Mann, Chair
Doyle
Holt

HOUSE FILE 2466

Judiciary
Mann, Chair
Horn
Goodwin

HOUSE FILE 2491

Commerce
Deluhery, Chair
Bruner
Gallagher
Tieden
Nystrom

HOUSE FILE 422

Commerce
Bruner, Chair
Palmer
Nystrom

HOUSE FILE 2405

Commerce
Holden, Chair
Deluhery
Gallagher

HOUSE FILE 2445

State Government
Dieleman, Chair
Gettings
Rife

HOUSE FILE 2487

Judiciary
Doyle, Chair
Dieleman
Horn
Small
Drake
Briles
Gentleman
Mann
Ritsema

HOUSE FILE 2501

Commerce
Palmer, Chair
Holden
Tieden

CERTIFICATES OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificates of recognition have been issued as follows:

James L. Berry (For Induction into the Basketball Hall of Fame)—Outstanding performance as a player at West Waterloo High School 1952-1955. Senator Lind. (March 17, 1984.)

Dr. James L. Robinson—Recipient of the Lyle T. Quinn Award. Senator Lind. (March 17, 1984.)

MOTIONS TO RECONSIDER
(Filed March 29, 1984)

MR. PRESIDENT: I move to reconsider the vote by which House File 2015 passed the Senate on March 29, 1984.

WM. W. (BILL) DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 2015 passed the Senate on March 29, 1984.

JOE J. WELSH

MR. PRESIDENT: I move to reconsider the vote by which House File 2015 passed the Senate on March 29, 1984.

WALLY E. HORN

MOTION TO RECONSIDER
(Filed March 30, 1984)

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5415 to House File 2386 was adopted by the Senate on March 30, 1984.

JULIA GENTLEMAN

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 thirtieth day of March, 1984:

Senate File 2160.

K. MARIE THAYER
Secretary of the Senate

COMMUNICATION

The following communication was filed with the Secretary of the Senate on March 29, 1984:

March 16, 1984

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

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

These include 3 claims of a general nature. This supplements our filing of December 27, 1983.

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

Very truly yours,
RICHARD D. JOHNSON
Chairman
State Appeal Board

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Action
1512-70-25	Craig Waldean Kickbush 5015 S.W. 9th. #88 Des Moines, Iowa Back Pay	\$ 83.20	Disapproved
1696-71-25	Ruth Mary Felton 1301 Country Club Road Indianola, Iowa Insurance	Undetermined	Disapproved
1720-71-25	James N. Jensen 1003 Central Avenue Fort Dodge, Iowa License Refund	\$ 50.00	Disapproved

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND MENTAL HEALTH

Convened: March 29, 1984, 8:40 a.m.

Members Present: Carr, Chair; Doyle, Vice Chair; Gentleman, Ranking Member and Hulse.

Members Absent: Mann.

Other Committee Business: Subcommittee approved LSB 3487 and submitted to the full Appropriations committee.

Adjourned: 9:00 a.m.

PRESENTATION OF VISITORS

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

Sixty members of the band and chorus music groups from Notre Dame High School, Burlington, Iowa, accompanied by Father Mike Phillips. Senator Charles P. Miller.

Thirty-two students from Seymour Elementary School, Seymour, Iowa, accompanied by Joyce Masaday and Sally Donald. Senator Van Gilst.

AMENDMENTS FILED

S-5686	H.F.	2487	Edgar H. Holden Don E. Gettings Milo Colton
S-5687	H.F.	2339	James V. Gallagher
S-5688	H.F.	2247	Joe J. Welsh
S-5689	H.F.	2217	Emil J. Husak Ray Taylor
S-5690	H.F.	2470	Tom Mann, Jr.
S-5691	H.F.	2465	Tom Mann, Jr.
S-5692	H.F.	2354	James V. Gallagher
S-5693	H.F.	2354	James V. Gallagher
S-5694	H.F.	2392	Alvin V. Miller Lee W. Holt

S—5695	S. F.	176	House Amendment
S—5696	S. F.	517	House Amendment
S—5697	S. F.	2098	House Amendment
S—5698	S. F.	2101	House Amendment
S—5699	S. F.	2159	House Amendment
S—5700	S. F.	2212	House Amendment
S—5701	S. F.	2220	House Amendment
S—5702	S. F.	2228	House Amendment
S—5703	S. F.	2248	House Amendment
S—5704	S. F.	2261	House Amendment
S—5705	S. F.	2277	House Amendment
S—5706	S. F.	2294	House Amendment
S—5707	S. F.	2310	House Amendment
S—5708	H. F.	2465	Patrick J. Deluhery Tom Mann, Jr.
S—5709	S. F.	2299	Joe Brown

ADJOURNMENT

On motion of Senator Deluhery, the Senate adjourned at 2:50 p.m., until 10:00 a.m., Monday, April 2, 1984.

JOURNAL OF THE SENATE

1213

EIGHTY-FIFTH CALENDAR DAY FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 2, 1984.

The Senate met in regular session at 10:05 a.m., President Anderson presiding.

Prayer was offered by the Reverend Bob Evans, pastor of the Christian Church, Logan, Iowa.

The Journal of Friday, March 30, 1984, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hutchins for the day and Senator Deluhery for the morning session on request of Senator Junkins.

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

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Ritsema for the week on request of Senator Hultman.

HOUSE AMENDMENTS CONSIDERED

Senate File 163

Senator Readinger called up for consideration Senate File 163, a bill for an act creating a possessory lien on personal property in a

self-service storage facility and establishing a method for enforcing the lien, amended by the House, and moved that the Senate concur in House amendment S—5584 filed March 28, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Readinger moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 163) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Morn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Gallagher	Hutchins	Lind
Ritsema	Rodgers		

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

Senate File 2091

Senator Vande Hoef called up for consideration Senate File 2091, a bill for an act relating to the acquisition of legal settlement by persons hospitalized in or receiving treatment at a state mental health institute and by institutionalized, emancipated, and other minors, amended by the House, and moved that the Senate concur in House amendment S—5589 filed March 28, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Vande Hoef moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2091) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Schwengels	Slater
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Hutchins	Lind	Ritsema
Rodgers	Small		

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

Senate File 2189

Senator Tieden called up for consideration Senate File 2189, a bill for an act relating to bacterial and organoleptic milk standards, amended by the House, and moved that the Senate concur in House amendment S—5590 filed March 28, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Tieden moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2189) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Gallagher	Hutchins	Lind
Ritsema	Rodgers		

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

Senate File 347

Senator Drake called up for consideration Senate File 347, a bill for an act providing for the issuance of special registration plates to former prisoners of war which contain the letters "POW" followed by three numerals at the regular registration fee, amended by the House, and moved that the Senate concur in House amendment S-5647 filed March 29, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 347) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Hutchins	Lind	Ritsema
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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 449

Senator Miller of Des Moines called up for consideration Senate File 449, a bill for an act relating to licensing private investigative agencies and private security agencies, and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5648 filed March 29, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman

Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Hutchins	Lind	Ritsema
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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 465

Senator Bruner called up for consideration Senate File 465, a bill for an act relating to construction, repair, and improvement projects at institutions under the control of the department of social services, amended by the House, and moved that the Senate concur in House amendment S—5651 filed March 29, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 465) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater

Small
Vande Hoef
Welsh

Soorholtz
Van Gilst

Taylor
Waldstein

Tieden
Wells

Nays, none.

Absent or not voting, 5: ~

Deluhery
Ritsema

Hutchins

Lind

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.

Senate File 511

Senator Husak called up for consideration Senate File 511, a bill for an act relating to construction near a buried electric transmission line, amended by the House in House amendment S—5652 filed March 29, 1984.

Senator Gallagher offered amendment S—5713 filed by him from the floor to House amendment S—5652.

Senator Taylor raised the point of order that amendment S—5713 to House amendment S—5652 was not germane.

The Chair ruled the point well taken and amendment S—5713 out of order.

Senator Jensen offered amendment S—5712 filed by him from the floor to House amendment S—5652.

Senator Horn raised the point of order that amendment S—5712 to House amendment S—5652 was not germane.

The Chair ruled the point well taken and amendment S—5712 out of order.

Senator Husak moved that the Senate concur in House amendment S—5652, which motion prevailed by a voice vote.

Senator Husak moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, 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, 44:

Briles	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none,

Absent or not voting, 6:

Anderson	Deluhery	Hutchins	Lind
Rife	Ritsema		

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

Senate File 2301

Senator Small called up for consideration Senate File 2301, a bill for an act relating to the protection of lienholders' and certificate holders' advancements, amended by the House in House amendment S—5657 filed March 29, 1984.

Senator Gentleman asked and received unanimous consent that further action on House amendment S—5657 and **Senate File 2301** be deferred.

Senate File 2233

Senator Holden called up for consideration Senate File 2233, a bill for an act providing for the transfer of fiduciary accounts among affiliates and between independent banks, amended by the House in House amendment S—5655 filed March 29, 1984.

Senator Gallagher asked and received unanimous consent that further action on House amendment S—5655 and **Senate File 2233** be deferred.

Senate File 2311

Senator Drake called up for consideration Senate File 2311, a bill for an act relating to access to records by the legislative fiscal bureau, amended by the House, and moved that the Senate concur in House amendment S—5658 filed March 29, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2311) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Hutchins	Lind	Miller, A.V.
Rife	Ritsema		

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

Senate File 2101

Senator Taylor called up for consideration Senate File 2101, a bill for an act relating to the committment of children beyond their eighteenth birthday to the state training school, amended by the House, and moved that the Senate concur in House amendment S—5698 filed March 30, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2101) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Hutchins	Lind	Ritsema
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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 2212

Senator Nystrom called up for consideration Senate File 2212, a bill for an act relating to pay scale standards for members of the Iowa national guard, amended by the House, and moved that the Senate concur in House amendment S—5700 filed March 30, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Nystrom moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2212) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Briles	Deluhery	Hutchins	Lind
Ritsema			

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

Senate File 2294

Senator Slater called up for consideration Senate File 2294, a bill for an act relating to the examination of government records by providing for the procedures for their examination, for enforcement of those procedures, for the availability of certain records, and for the duties of the lawful custodians and providing for civil damages, amended by the House, and moved that the Senate concur in House amendment S—5706 filed March 30, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Slater moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2294) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Hutchins	Lind	Ritserma
Small			

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

Senate File 2310

Senator Nystrom called up for consideration Senate File 2310, a bill for an act relating to payments to state employees for accrued sick leave and disability, amended by the House, and moved that the Senate concur in House amendment S—5707 filed March 30, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Nystrom moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2310) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester

Holden	Holt	Horn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Deluhery	Hutehins	Lind
Readinger	Ritsema		

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

BILLS RETURNED TO COMMITTEE

Senator Junkins asked and received unanimous consent that the following bills be returned from the Regular Calendar to committee:

H.F.	2202	Transporation
H.F.	2209	Agriculture
H.F.	2221	Transporation
H.F.	2464	Commerce
H.F.	2492	Agriculture

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 March 29, 1984, passed the following bills in which the concurrence of the House was asked:

Senate File 2005, a bill for an act relating to actions to enforce the terms of a dissolution, annulment, or separate maintenance decree and providing a penalty.

Senate File 2057, a bill for an act to legalize the proceedings of the board of supervisors of Lee county relating to the compensation of certain county officers and deputies.

Senate File 2063, a bill for an act relating to the Iowa product development corporation Act.

Senate File 2173, a bill for an act relating to appeals of awards by compensation commissions in condemnation proceedings.

Senate File 2217, a bill for an act establishing uniform enforcement remedies for the department of water, air and waste management, and imposing civil penalties.

Senate File 2223, a bill for an act relating to the maximum fine assessable upon the conviction of a class "C" or class "D" felony.

Senate File 2250, a bill for an act relating to the budget year and annual report provisions for secondary roads.

Senate File 2253, a bill for an act relating to the penalty for violation of the Iowa competition law and providing for a prohibition from bidding on governmental contracts by persons convicted of violations of the Iowa competition law.

Senate File 2284, a bill for an act relating to lease-purchase agreements made by an area education agency.

ALSO: That the House has on March 30, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2511, a bill for an act relating to and making appropriations to the auditor of state and the treasurer of state and providing an effective date.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate Resolution 108, by Committee on Judiciary, a resolution relating to the liabilities and immunities of governmental entities.

Read first time and referred to the committee on **Rules and Administration**.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:05 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:42 p.m., Senator Colton presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

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

The Senate resumed session, Senator Colton presiding.

HOUSE AMENDMENTS CONSIDERED

Senate File 292

Senator Mann called up for consideration Senate File 292, a bill for an act relating to qualification and compensation of court interpreters, amended by the House, and moved that the Senate concur in House amendment S—5585 filed March 28, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Mann moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, 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, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Horn	Hultman
Husak	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small

Soorholtz
Wells

Taylor
Welsh

Tieden

Van Gilst

Nays, 4:

Holden

Holt

Hulse

Vande Hoef

Absent or not voting, 4:

Hutchins

Lind

Ritsema

Waldstein

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

Senate File 2059

Senator Doyle called up for consideration Senate File 2059, a bill for an act relating to the authority of a standing committee of the general assembly to call upon a state agency or political subdivision for assistance and information, amended by the House, and moved that the Senate concur in House amendment S—5587 filed March 28, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2059) the vote was:

Ayes, 45:

Anderson
Carr
Dieleman
Gentleman
Hall
Horn
Jensen
Miller, C.P.
Readinger
Slater
Tieden
Welsh

Briles
Coleman
Doyle
Gettings
Hester
Hulse
Junkins
Nystrom
Rife
Small
Vande Hoef

Brown
Colton
Drake
Goodwin
Holden
Hultman
Kinley
Palmer
Rodgers
Soorholtz
Van Gilst

Bruner
Deluhery
Gallagher
Gratias
Holt
Husak
Mann
Priebe
Schwengels
Taylor
Wells

Nays, none.

Absent or not voting, 5:

Hutchins	Lind	Miller, A.V.	Ritsema
Waldstein			

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

Senate File 2084

Senator Drake called up for consideration Senate File 2084, a bill for an act relating to transition legislation for the Iowa department of corrections, amended by the House, and moved that the Senate concur in House amendment S—5588 filed March 28, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2084) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Jenkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Dieleman	Hutchins	Lind	Ritsema
Waldstein			

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

Senate File 451 .

Senator Goodwin called up for consideration Senate File 451, a bill for an act relating to enforcement of license discipline by the board of medical examiners, amended by the House, and moved that the Senate concur in House amendment S—5649 filed March 29, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Goodwin moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 451) the vote was:

Ayes, 43:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Horn	Hulse
Hultman	Husak	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Gallagher	Hester	Hutchins	Jensen
Lind	Ritsema	Waldstein	

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

Senate File 2104

Senator Doyle called up for consideration Senate File 2104, a bill for an act relating to the collections of fines and penalties by a

county attorney, amended by the House, and moved that the Senate concur in House amendment S—5653 filed March 29, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2104) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Hutchins	Lind	Ritsema	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 2213

Senator Rodgers called up for consideration Senate File 2213, a bill for an act relating to the authority of the department of water, air and waste management over waste water disposal systems, amended by the House, and moved that the Senate concur in House amendment S—5654 filed March 29, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Rodgers moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2213) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hutchins	Lind	Ritsema	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 2233

The Senate resumed consideration of Senate File 2233 and House amendment S—5655, previously deferred.

Senator Gallagher offered amendment S—5716 filed by him from the floor to House amendment S—5655.

President Anderson took the chair at 2:26 p.m.

Senator Holden raised the point of order that amendment S—5716 to House amendment S—5655 was not germane.

The Chair ruled the point well taken and amendment S—5716 out of order.

Senator Holden moved that the Senate concur in House amendment S—5655, which motion prevailed by a voice vote.

Senator Holden moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2238) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Jensen	Junkins	Kipley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hutchins	Lind	Ritsema	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 AMENDMENTS CONSIDERED

Senate File 2298

Senator Coleman called up for consideration Senate File 2298, a bill for an act to require the state department of transportation to include all federal funds in its annual or biennial budget which

funds are subject to appropriation to the department, amended by the House, and moved that the Senate concur in House amendment S—5656 filed March 29, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Coleman moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2298) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Hölden	Holt
Horn	Hulse	Hultman	Husak
Jensen	Junkins	Mann	Miller, A. V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hutchins	Kinley	Lind	Ritsema
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 517

Senator Readinger called up for consideration Senate File 517, a bill for an act relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5696 filed March 30, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Readinger moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, 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, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Hultman	Husak
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hutchins	Lind	Ritsema	Rodgers
Waldstein			

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

Senate File 2159

Senator Anderson called up for consideration Senate File 2159, a bill for an act to allow limited child modeling under the child labor laws, amended by the House, and moved that the Senate concur in House amendment S—5699 filed March 30, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Anderson moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2159) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Welsh

Nays, 2:

Gentleman Readinger

Absent or not voting, 4:

Hutchins Lind Ritsema Waldstein

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

Senate File 2261

Senator Holden called up for consideration Senate File 2261, a bill for an act relating to the powers of state-chartered savings and loan associations, amended by the House and moved that the Senate concur in House amendment S—5704 filed March 30, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2261) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery

Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hester	Hutchins	Lind	Ritsema
Waldstein			

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

BILL ASSIGNED TO COMMITTEE

President Anderson announced that **Senate File 2332** was assigned to the committee on **Finance**.

HOUSE AMENDMENT CONSIDERED

Senate File 2228

Senator Miller of Cerro Gordo called up for consideration **Senate File 2228**, a bill for an act prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home, amended by the House, and moved that the Senate concur in House amendment S—5702 filed March 30, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Miller of Cerro Gordo moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2228) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A. V.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Welsh

Nays, 2:

Gallagher Miller, C.P.

Absent or not voting, 4:

Hutchins Lind Ritsema Waldstein

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 2226 passed the Senate on April 2, 1984.

RICHARD VANDE HOEF

BUSINESS PENDING

Senate File 2301

The Senate resumed consideration of Senate File 2301 and House amendment S—5657, previously deferred.

Senator Kinley took the chair at 3:11 p.m.

Senator Small moved that the Senate concur in House amendment S—5657, which motion prevailed by a voice vote.

Senator Small moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2301) the vote was:

Ayes, 43:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Hultman	Hutchins	Lind	Rife
Ritsema	Waldstein		

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 2220

Senator Holden called up for consideration Senate File 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions, amended by the House in House amendment S—5701 filed March 30, 1984.

Senator Holden offered amendment S—5719 filed by Senators Kinley and Holden from the floor to House amendment S—5701 and moved its adoption.

Amendment S—5719 was adopted by a voice vote.

Senator Holden moved that the Senate concur in House amendment S—5701 as amended, which motion prevailed by a voice vote.

Senator Holden moved that the bill as amended by the House further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2220) the vote was:

Ayes, 44:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Husak	Jensen
Junkins	Kinley	Mann	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Wells	Welsh

Nays, none.

Voting present, 1:

Hultman

Absent or not voting, 5:

Hutchins	Lind	Miller, A.V.	Ritsema
Waldstein			

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

UNFINISHED BUSINESS (Deferred March 15, 1984)

House File 2340

The Senate resumed consideration of House File 2340, a bill for an act relating to the investigations and findings of a complaint filed against a health care facility, deferred on March 15, 1984.

Senator Mann offered amendment S—5320 filed by him on March 8, 1984, to page 2 of the bill and moved its adoption.

Amendment S—5320 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2340) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Delehery
Dieleman	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hulse	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hultman	Hutchins	Lind	Ritsema
Waldstein			

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that House File 2340 and Senate File 2220 be immediately messaged to the House.

MOTIONS TO RECONSIDER WITHDRAWN

House File 2394

Senator Coleman withdrew the motion to reconsider House File 2394, a bill for an act relating to the licensure of dietitians and nutritionists, filed by him on March 28, 1984, and found on page 1114 of the Senate Journal.

House File 2062

Senator Dieleman withdrew the motion to reconsider House File 2062, a bill for an act providing for a moratorium on certain disconnections of gas and electricity by regulated public utilities from November 1 to April 1 for residents age sixty or over and making civil penalties applicable, filed by him on March 28, 1984, and found on page 1137 of the Senate Journal.

Senator Bruner withdrew the motion to reconsider House File 2062 filed by him on March 29, 1984, and found on page 1170 of the Senate Journal.

MOTION TO RECONSIDER LOST**House File 2068**

Senator Deluhery called up the motion to reconsider House File 2068, a bill for an act requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentages which are to be charged to the stockholders, filed by him on March 27, 1984, found on page 1078 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2068) the vote was:

Ayes, 17:

Briles	Drake	Gettings	Goodwin
Gratias	Hester	Holden	Holt
Hulse	Hultman	Jensen	Rife
Schwengels	Soorholtz	Taylor	Vande Hoef
Waldstein			

Nays, 30:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Hall
Hörn	Husak	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rodgers
Slater	Small	Tieden	Van Gilst
Wells	Welsh		

Absent or not voting, 3:

Hutchins

Lind

Ritsema

The motion lost.

The Chair ruled the motion to reconsider the vote by which House File 2068 was passed by the Senate filed by Senator Holden on March 27, 1984, and found on page 1078 of the Senate Journal, out of order.

Amendment S—5710 filed by Senator Holden from the floor to page 1 and the title page of the bill, was out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the remainder of the afternoon on request of Senator Junkins.

UNFINISHED BUSINESS (Deferred March 16, 1984)

House File 2428

The Senate resumed consideration of House File 2428, a bill for an act relating to mortgage redemption periods, deferred on March 16, 1984.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2428) the vote was:

Ayes, 46:

Anderson

Carr

Dieleman

Gentleman

Hall

Horn

Jensen

Miller, A.V.

Priebe

Briles

Coleman

Doyle

Gettings

Hester

Hulse

Junkins

Miller, C.P.

Readinger

Brown

Colton

Drake

Goodwin

Holden

Hultman

Kinley

Nystrom

Rife

Bruner

Deluhery

Gallagher

Gratias

Holt

Husak

Mann

Palmer

Schwengels

Slater
Tieden
Wells

Small
Vande Hoef
Welsh

Soorholtz
Van Gilst

Taylor
Waldstein

Nays, none.

Absent or not voting, 4:

Hutchins

Lind

Ritsema

Rodgers

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

UNFINISHED BUSINESS (Deferred March 30, 1984)

House File 2180

The Senate resumed consideration of House File 2180, a bill for an act relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, allowing a county treasurer to issue, under certain circumstances, a restricted certificate of title to a person who was issued a junking certificate, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year, deferred March 30, 1984.

Senator Drake offered amendment S—5715 filed by Senators Drake and Nystrom from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5715 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2180) the vote was:

Ayes, 45:

Anderson
Coleman
Doyle
Gettings
Hester

Brown
Colton
Drake
Goodwin
Holden

Bruner
Deluhery
Gallagher
Gratias
Holt

Carr
Dieleman
Gentleman
Hall
Horn

Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Briles	Hutchins	Lind	Ritsema
Rodgers			

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

UNFINISHED BUSINESS (Deferred March 30, 1984)

House File 2334

The Senate resumed consideration of House File 2334, a bill for an act relating to the definition of burglary and attempted burglary, deferred on March 30, 1984.

Senator Doyle offered amendment S—5478 filed by him on March 22, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5478 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2334) the vote was:

Ayes, 45:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.

Miller, C.P.
Readinger
Small
Vande Hoef
Welsh

Nystrom
Rife
Soorholtz
Van Gilat

Palmer
Schwengels
Taylor
Waldstein

Priebe
Slater
Tieden
Wells

Nays, none.

Absent or not voting, 5:

Briles
Rodgers

Hutchins

Lind

Ritsema

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

UNFINISHED BUSINESS (Deferred March 15, 1984)

House File 2465

The Senate resumed consideration of House File 2465, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility, deferred March 15, 1984.

Senator Deluhery offered amendment S—5708 filed by Senators Deluhery and Mann on March 30, 1984, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5708 was adopted by a voice vote.

With the adoption of amendment S—5708, the Chair ruled the following amendments out of order:

S—5631 filed by Senator Deluhery on March 28, 1984, to strike everything after the enacting clause of the bill.

S—5685 filed by Senator Deluhery on March 29, 1984, to amendment S—5631.

S—5691 filed by Senator Mann on March 30, 1984, to amendment S—5685 to amendment S—5631.

S—5495 filed by Senator Deluhery on March 22, 1984, to strike everything after the enacting clause of the bill.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2465) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Rife
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Briles	Drake	Hutchins	Lind
Readinger	Ritsema	Rodgers	

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that House Files 2180, 2428 and 2465 be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred March 28, 1984)

House File 2466

The Senate resumed consideration of House File 2466, a bill for an act relating to the definition of public accommodation and extending the time for bringing an action under the Iowa civil rights law, deferred on March 28, 1984.

Senator Mann called up the motion to reconsider the vote by which amendment S—5549 to House File 2466 was adopted by the Senate on March 28, 1984, filed by him on March 28, 1984, found on page 1137 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 17.

The motion prevailed and amendment S—5549 by Senators Holt and Dieleman to page 1 of the bill, was taken up for reconsideration.

Senator Holt moved the adoption of amendment S—5549.

A non record roll call was requested.

The ayes were 18, nays 26.

Amendment S—5549 lost.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2466) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Horn	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Van Gilst	Waldstein	Wells	Welsh

Nays, 5:

Hester	Holden	Holt	Hulse
Vande Hoef			

Absent or not voting, 5:

Briles	Hutchins	Lind	Ritsema
Rodgers			

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

Senator Junkins asked and received unanimous consent that House File 2466 be immediately messaged to the House.

BILL ASSIGNED TO COMMITTEE

The Chair announced that House File 2511 was assigned to the committee on Appropriations.

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 March 29, 1984, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 253, a bill for an act relating to qualifications for and exemptions from juror services (S—5729).

Senate File 309, a bill for an act relating to the distance a person without an operator's license may move a farm tractor or implement of husbandry to farmland for conducting farm operations (S—5728).

Senate File 2035, a bill for an act relating to the requirement that the court personally address a defendant when a plea of guilty to a serious misdemeanor is entered by, or on behalf of, a defendant (S—5727).

Senate File 2132, a bill for an act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse (S—5726).

Senate File 2183, a bill for an act relating to sexual abuse committed by engaging in a sex act against the will of the other participant (S—5725).

Senate File 2235, a bill for an act relating to the penalties for operating a motor vehicle when the operator's license has been suspended or revoked (S—5724).

Senate File 2247, a bill for an act relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties (S—5723).

Senate File 2257, a bill for an act relating to the ownership of joint transmission facilities (S—5730).

Senate File 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered (S—5731).

Senate File 2269, a bill for an act limiting the amount charged employed county prisoners for meals (S—5732).

Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug (S—5733).

Senate File 2293, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty (S—5735).

Senate File 2317, a bill for an act relating to the purchase of Iowa coal by state and local government institutions (S—5736).

ALSO: That the House has on March 30, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards (S—5734).

APPENDIX**STUDY BILLS RECEIVED****S.S.B. 2252 Appropriations**

Relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole.

S.S.B. 2253 Appropriations

To require that a uniform system of program accounting be approved by the state board of public instruction and implemented by the area education agencies.

S.S.B. 2254 Appropriations

Relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services.

S.S.B. 2255 Appropriations

Appropriating federal block grants for community service and community development.

S.S.B. 2256 Appropriations

Relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985.

S.S.B. 2257 Ways and Means

Relating to the establishment of and improvements within a secondary road assessment district.

S.S.B. 2258 Ways and Means

Relating to the taxation of vulcanizing, recapping, and retreading under the state sales, services, and use tax.

S.S.B. 2259 Ways and Means

Repealing the requirement that a corporation organized under the Iowa business corporation Act publish a notice of incorporation.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointee to a standing committee as indicated for investigation on April 2, 1984:

Robert G. Holetz—Iowa Department of Job Service—Labor

LOWELL L. JUNKINS, Chair

CERTIFICATES OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificates of recognition have been issued as follows:

The Little Rock Rockettes—Third place in the 1-A State Basketball tournament. Senator Vande Hoef. (March 20, 1984.)

The Cherokee Braves—Participation in the State Basketball 2-A tournament. Senator Vande Hoef. (March 20, 1984.)

**REPORT OF STANDING COMMITTEE
(Place Nominee on En Bloc Confirmation Calendar)**

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the character and qualifications of Stephen C. Gerard, Sigourney, Keokuk County, Iowa, for reappointment as a member of the State Board of Public Instruction under the provisions of Section 257.1, Code of Iowa, for a six-year term beginning May 1, 1984, and ending April 30, 1990, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON EDUCATION
JOE BROWN, Chair**

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber the morning of April 2, 1984.

Had I been present, I would have voted "aye" on the following bills: Senate Files 163, 347, 449, 465, 511, 2091, 2101, 2189, 2212 and 2294.

PATRICK J. DELUHERY

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: April 2, 1984, 9:20 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh.

Members Absent: Ritsema, Ranking Member and Deluhery (both excused) and Briles.

Final Bill Action: SENATE RESOLUTION 108, a resolution relating to the liabilities and immunities of governmental entities.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Doyle, Mann, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small and Welsh. Nays, none. Absent or not voting, 3: Ritsema, Deluhery and Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Recessed: 10:30 a.m.

Reconvened: April 2, 1984, 12:30 p.m.

Final Bill Action: HOUSE FILE 2487, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and eliminating governmental immunity for certain public improvements and places.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5738.

Final Vote: Ayes, 12: Doyle, Mann, Coleman, Dieleman, Drake, Gentleman, Goodwin, Holt, Horn, Small, Welsh and Deluhery. Nays, none. Absent or not voting, 2: Ritsema and Briles.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:20 p.m.

RULES AND ADMINISTRATION

Convened: March 30, 1984, 2:45 p.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Anderson and Kinley.

Members Absent: Hulse.

Other Committee Business: Referred Governor's appointee Robert G. Holecz, Director of the Iowa Department Job Service, to the committee on Labor for investigation.

Adjourned: 2:47 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty-five students from Arnolds Park High School, Arnolds Park, Iowa, accompanied by Mildred Anderson and Mrs. Burns. Senator Holt.

4-H members from Winneshiek County, accompanied by Nancy Rash. Senators Tieden and Gratias.

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

Sixty-four students from State Center Elementary School, State Center, Iowa, accompanied by Carol Eddy and Pat Maxwell. Senators Soorholtz and Husak.

AMENDMENTS FILED

S-5710	H.F.	2068	Edgar H. Holden
S-5711	S. F.	2331	Charles Bruner
S-5712	S. F.	511	John W. Jensen
S-5713	S. F.	511	James V. Gallagher
S-5714	H.F.	2392	Wm. W. (Bill) Dieleman
			Julia Gentleman

S—5715	H.F.	2180	Richard F. Drake John N. Nystrom
S—5716	S. F.	2233	James V. Gallagher
S—5717	H.F.	2100	James V. Gallagher
S—5718	H.F.	2110	Hurley W. Hall Merlin D. Hulse
S—5719	S. F.	2220	George R. Kinley Edgar H. Holden
S—5720	H.F.	2100	James V. Gallagher
S—5721	H.F.	2100	James V. Gallagher
S—5722	H.F.	2100	James V. Gallagher
S—5723	S. F.	2247	House Amendment
S—5724	S. F.	2235	House Amendment
S—5725	S. F.	2183	House Amendment
S—5726	S. F.	2132	House Amendment
S—5727	S. F.	2035	House Amendment
S—5728	S. F.	309	House Amendment
S—5729	S. F.	253	House Amendment
S—5730	S. F.	2257	House Amendment
S—5731	S. F.	2262	House Amendment
S—5732	S. F.	2269	House Amendment
S—5733	S. F.	2270	House Amendment
S—5734	S. F.	2291	House Amendment
S—5735	S. F.	2293	House Amendment
S—5736	S. F.	2317	House Amendment
S—5737	S. F.	2328	Julia Gentleman
S—5738	H.F.	2487	Judiciary
S—5739	H.F.	2392	Richard Vande Hoef

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Tuesday, April 3, 1984.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 3, 1984

The Senate met in regular session at 9:02 a.m., President Anderson presiding.

Prayer was offered by the Reverend Andrew Zylstra, pastor of the Christian Reformed Church, Cedar, Iowa.

The Journal of Monday, April 2, 1984, was approved.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the morning session on request of Senator Junkins.

HOUSE AMENDMENTS CONSIDERED

Senate File 176

Senator Hutchins called up for consideration Senate File 176, a bill for an act relating to the allocation of funds to regional libraries, amended by the House, and moved that the Senate concur in House amendment S—5695 filed March 30, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 176) the vote was:

Ayes, 39:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Nystrom	Palmer	Priebe	Rife
Rodgers	Slater	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 1:

Gentleman

Absent or not voting, 10:

Brown	Lind	Miller, C.P.	Readinger
Ritsema	Schwengels	Small	Soorholtz
Van Gilst	Welsh		

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

Senate File 2262

Senator Nystrom called up for consideration Senate File 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered, amended by the House in House amendment S—5731 filed April 2, 1984.

Senator Gallagher asked and received unanimous consent that further action on House amendment S—5731 and Senate File 2262 be deferred.

Senate File 253

Senator Priebe called up for consideration Senate File 253, a bill for an act relating to qualifications for and exemptions from juror service, amended by the House, and moved that the Senate concur in House amendment S—5729 filed April 2, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 253) the vote was:

Ayes, 43:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Dehivery	Dieleman
Doyle	Drake	Gallagher	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Slater	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Brown	Jensen	Lind	Ritsema
Schwengels	Small		

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

BUSINESS PENDING

Senate File 2262

The Senate resumed consideration of Senate File 2262 and House amendment S—5731, previously deferred.

Senator Nystrom moved that the Senate concur in House amendment S—5731.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

HOUSE AMENDMENTS CONSIDERED

Senate File 309

Senator Priebe called up for consideration Senate File 309, a bill for an act relating to the distance a person without an operator's license may move a farm tractor or implement of husbandry to farmland for conducting farm operations, amended by the House in House amendment S—5728 filed April 2, 1984.

Senator Hutchins asked and received unanimous consent that further action on House amendment S—5728 and Senate File 309 be deferred.

Senate File 2035

Senator Doyle called up for consideration Senate File 2035, a bill for an act relating to the requirement that the court personally address a defendant when a plea of guilty to a serious misdemeanor is entered by, or on behalf of, a defendant, amended by the House, and moved that the Senate concur in House amendment S—5727 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2035) the vote was:

Ayes, 45:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe

Readinger	Rife	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Brown	Hultman	Lind	Ritzema
Schwengels			

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

Senate File 2183

Senator Gentleman called up for consideration Senate File 2183, a bill for an act relating to sexual abuse committed by engaging in a sex act against the will of the other participant, amended by the House, and moved that the Senate concur in House amendment S—5725 filed April 2, 1984.

A non record roll call was requested.

The ayes were 23, nays 23.

The Chair voted "aye" to break the tie 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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2183) the vote was:

Ayes, 41:

Anderson	Briles	Bruner	Carr
Deluhery	Dieleman	Doyle	Drake
Gallagher	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers

Slater
Vande Hoef
Welsh

Small
Van Gilst

Soorholtz
Waldstein

Taylor
Wells

Nays, 3:

Coleman

Colton

Mann

Absent or not voting, 6:

Brown
Schwengels

Lind
Tieden

Miller, A. V.

Ritsema

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 Schwengels for the morning session on request of Senator Hultman.

HOUSE AMENDMENTS CONSIDERED

Senate File 2257

Senator Deluhery called up for consideration Senate File 2257, a bill for an act relating to the ownership of joint transmission facilities, amended by the House, and moved that the Senate concur in House amendment S—5730 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2257) the vote was:

Ayes, 45:

Anderson
Coleman
Doyle

Briles
Colton
Drake

Bruner
Deluhery
Gallagher

Carr
Dieleman
Gentleman

Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Brown	Lind	Ritsema	Schwengels
Waldstein			

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

Senate File 2269

Senator Doyle called up for consideration Senate File 2269, a bill for an act limiting the amount charged employed county prisoners for meals, amended by the House, and moved that the Senate concur in House amendment S—5732 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2269) the vote was:

Ayes, 43:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Slater

Small
Van Gilst

Soorholtz
Wells

Taylor
Welsh

Vande Hoef

Nays, none.

Absent or not voting, 7:

Brown
Schwengels

Hultman
Tieden

Lind
Waldstein

Ritsema

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

Senate File 2270

Senator Doyle called up for consideration Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug, amended by the House, and moved that the Senate concur in House amendment S—5733 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2270) the vote was:

Ayes, 43:

Anderson
Colton
Drake
Goodwin
Holden
Hultman
Junkins
Miller, C.P.
Readinger
Small
Vande Hoef

Bruner
Deluhery
Gallagher
Gratias
Holt
Husak
Kinley
Nystrom
Rife
Soorholtz
Van Gilst

Carr
Dieleman
Gentleman
Hall
Horn
Hutchins
Mann
Palmer
Rodgers
Taylor
Welsh

Coleman
Doyle
Gettings
Hester
Hulse
Jensen
Miller, A.V.
Priebe
Slater
Tieden

Nays, none.

Absent or not voting, 7:

Briles	Brown	Lind	Ritsema
Schwengels	Waldstein	Wells	

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

Senate File 2132

Senator Mann called up for consideration Senate File 2132, a bill for an act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse, amended by the House, and moved that the Senate concur in House amendment S—5726 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Mann moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2132) the vote was:

Ayes, 44:

Anderson	Briles	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Brown	Carr	Lind	Ritsema
Schwengels	Wells		

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

Senate File 2235

Senator Doyle called up for consideration Senate File 2235, a bill for an act relating to the penalties for operating a motor vehicle when the operator's license has been suspended or revoked, amended by the House, and moved that the Senate concur in House amendment S—5724 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2235) the vote was:

Ayes, 43:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Welsh	

Nays, none.

Absent or not voting, 7:

Brown	Goodwin	Hultman	Lind
Ritsema	Schwengels	Wells	

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

Senate File 2247

Senator Mann called up for consideration Senate File 2247, a bill for an act relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties, amended by

the House, and moved that the Senate concur in House amendment S—5723 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Mann moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2247) the vote was:

Ayes, 46:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin.	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Brown	Lind	Ritsema	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.

HOUSE AMENDMENT CONSIDERED

Senate File 2317

Senator Van Gilst called up for consideration Senate File 2317, a bill for an act relating to the purchase of Iowa coal by state and local government institutions, amended by the House, and moved that the Senate concur in House amendment S—5736 filed April 2, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Van Gilst moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2317) the vote was:

Ayes, 44:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rodgers	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, 2:

Holden Rife

Absent or not voting, 4:

Brown Lind Ritsema Schwengels

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

UNFINISHED BUSINESS

(Deferred March 28, 1984)

House File 2110

The Senate resumed consideration of House File 2110, a bill for an act relating to the regulation of radiation machines and radioactive materials and providing a civil penalty for violations, and amendment S—5570 by Senators Slater, et al., to pages 1, 9 and the title page of the bill, deferred on March 28, 1984.

Senator Holden offered amendment S—5660 filed by him on March 29, 1984, to amendment S—5570 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5660 to amendment S—5570 be adopted?" (H.F. 2110) the vote was:

Ayes, 29:

Briles	Coleman	Dieleman	Drake
Gallagher	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Kinley	Priebe
Rife	Rodgers	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells			

Nays, 16:

Anderson	Bruner	Carr	Colton
Deluhery	Doyle	Junkins	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Readinger	Slater	Small	Welsh

Absent or not voting, 5:

Brown	Horn	Lind	Ritsema
Schwengels			

Amendment S—5660 was adopted.

With the adoption of amendment S—5660 to amendment S—5570, the Chair ruled amendment S—5718 filed by Senators Hall and Hulse on April 2, 1984, to amendment S—5570, out of order.

Senator Slater moved the adoption of amendment S—5570 as amended, which motion prevailed by a voice vote.

Senator Gentleman called up the motion to reconsider the vote by which amendment S—5582 to House File 2110 was adopted by the Senate on March 28, 1984, filed by her on March 29, 1984, and found on page 1171 of the Senate Journal.

The motion prevailed by a voice vote and amendment S—5582 by Senator Gentleman to pages 5, 6 and 9 of the bill, was taken up for reconsideration.

Senator Gentleman called for a division of amendment S—5582: lines 3 and 4 as division S—5582A and lines 5 through 8 as division S—5582B.

Senator Gentleman moved the adoption of division S—5582A, which motion prevailed by a voice vote.

Senator Gentleman withdrew division S—5582B.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2110) the vote was:

Ayes, 45:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Brown	Hultman	Lind	Ritsema
Schwengels			

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

HOUSE AMENDMENTS CONSIDERED

Senate File 2291

Senator Holden called up for consideration Senate File 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards, amended by the House in House amendment S—5734 filed April 2, 1984.

Senator Husak offered amendment S—5742 filed by Senators Husak and Rife from the floor to House amendment S—5734, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5742 to House amendment S—5734 be adopted?" (S.F. 2291) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Briles	Coleman	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Husak	Hutchins	Jensen	Miller, A.V.
Nystrom	Priebe	Readinger	Rife
Rodgers	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Welsh

Nays, 17:

Anderson	Bruner	Carr	Colton
Deluhery	Dieleman	Doyle	Gallagher
Gettings	Junkins	Kinley	Mann
Miller, C.P.	Palmer	Slater	Small
Wells			

Absent or not voting, 5:

Brown	Horn	Lind	Ritsema
Schwengels			

Amendment S—5742 was adopted.

Senator Holden moved that the Senate concur in House amendment S—5734 as amended.

A non record roll call was requested.

The ayes were 27, nays 15.

The motion prevailed and the Senate concurred in the House amendment as amended.

Senator Holden moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2291) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Anderson	Briles	Coleman	Dieleman
Drake	Gallagher	Gentleman	Goodwin
Gratias	Hall	Hester	Holden *
Holt	Hulse	Hultman	Husak
Jensen	Junkins	Miller, A.V.	Miller, C.P.
Nystrom	Readinger	Rife	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst			

Nays, 14:

Bruner	Carr	Colton	Deluhery
Doyle	Gettings	Kinley	Mann
Palmer	Priebe	Slater	Small
Wells	Welsh		

Absent or not voting, 7:

Brown	Horn	Hutchins	Lind
Ritsema	Schwengels	Waldstein	

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

Senate File 414

Senator Slater called up for consideration Senate File 414, a bill for an act relating to insurance coverage for mental health services provided by certain licensed psychologists, amended by the House in House amendment S—5586 filed March 28, 1984.

Senator Doyle offered amendment S—5743 filed by Senators Doyle, et al., from the floor to House amendment S—5586.

Senator Slater raised the point of order that amendment S—5743 to House amendment S—5586 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5743 out of order.

Senator Slater moved that the Senate concur in House amendment S—5586.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Slater moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, 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:

Ayes, 45:

Anderson	Briles	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Brown	Lind	Ritsema	Schwengels
Taylor			

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

IMMEDIATELY MESSAGED LIFTED

Senator Junkins asked and received unanimous consent to have the Immediate Message of April 2, 1984, removed from Senate File 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions.

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 March 30, 1984, passed the following bills in which the concurrence of the House was asked:

Senate File 256, a bill for an act permitting the Code editor to editorially correct internal references to sections which are cited erroneously or have been repealed, and names of agencies, officers, or other entities which have been changed.

Senate File 2095, a bill for an act providing a penalty for violation of requirements for setting aside handicapped parking spaces.

Senate File 2121, a bill for an act relating to the establishment of a state historic building code.

Senate File 2135, a bill for an act relating to electric transmission line, wire, or cable franchise and making civil penalties applicable.

Senate File 2155, a bill for an act relating to internal expense reporting and payroll procedures in the office of the auditor of state.

Senate File 2276, a bill for an act relating to the state board of engineering examiners.

ALSO: That the House has on March 30, 1984, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 113, a concurrent resolution creating a joint study committee to study adoption of children.

This bill was read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:02 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., Senator Doyle presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 23, 1984)

House File 2437

The Senate resumed consideration of House File 2437, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty, deferred on March 23, 1984.

Senator Brown took the chair at 1:47 p.m.

Senator Slater offered amendment S—5740 filed by him from the floor to page 7 of the bill.

Senator Junkins asked and received unanimous consent that further action on amendment S—5740 and House File 2437 be deferred.

BILL ASSIGNED TO COMMITTEE

The Chair announced that House Concurrent Resolution 113 was assigned to the committee on Rules and Administration.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that House Files 2334 and 2110 and Senate Files 2262 and 2291 be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2277

Senator Slater called up for consideration Senate File 2277, a bill for an act relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or optometric corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses and providing an effective date, amended by the House in House amendment S—5705 filed March 30, 1984.

Senator Priebe offered amendment S—5741 filed by Senators Priebe and Tieden from the floor to House amendment S—5705 and moved its adoption.

Amendment S—5741 was adopted by a voice vote.

Senator Slater moved that the Senate concur in House amendment S—5705 as amended.

A non record roll call was requested.

The ayes were 30, nays 14.

The motion prevailed and the Senate concurred in the House amendment as amended.

Senator Slater moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2277) the vote was:

Ayes, 45:

Anderson
Carr
Doyle

Briles
Colton
Gallagher

Brown
Deluhery
Gentleman

Bruner
Dieleman
Gettings

Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Coleman	Drake	Jensen	Lind
Ritsema			

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2277 passed the Senate on April 8, 1984.

TOM SLATER

BUSINESS PENDING

Senate File 309

The Senate resumed consideration of Senate File 309 and House amendment S—5728, previously deferred.

Senator Tieden offered amendment S—5745 filed by Senators Tieden and Drake from the floor to House amendment S—5728.

Senator Coleman asked and received unanimous consent that further action on House amendment S—5728, amendment S—5745 to House amendment S—5728 and Senate File 309 be deferred.

UNFINISHED BUSINESS (Deferred March 23, 1984)

Senate File 2328

The Senate resumed consideration of Senate File 2328, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing

that part-time and seasonal employees of the racing commission are not under the merit employment system, deferred on March 23, 1984.

President Anderson took the chair at 2:37 p.m.

Senator Gentleman offered amendment S—5737 filed by her on April 2, 1984, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 9, nays 35.

Amendment S—5737 lost.

Senator Dieleman offered amendment S—5592 filed by him on March 28, 1984, to pages 1, 3 and 5 through 7 of the bill and called for a division:

Division S—5592A: lines 2 through 5.

Division S—5592B: lines 6 through 12.

Division S—5592C: line 13.

Division S—5592D: line 14.

Division S—5592E: lines 15 and 16.

Division S—5592F: lines 17 and 18.

Division S—5592G: lines 19 and 20.

Senator Dieleman moved the adoption of division S—5592A, which motion lost by a voice vote.

Senator Dieleman moved the adoption of division S—5592B and requested a record roll call.

On the question "Shall division S—5592B be adopted?" (S.F. 2328) the vote was:

Ayes, 19:

Anderson
Doyle
Hester
Jensen
Taylor

Brown
Gentleman
Holden
Miller, A.V.
Vande Hoef

Coleman
Gettings
Holt
Nystrom
Van Gilst

Dieleman
Goodwin
Husak
Schwengels

Nays, 27:

Briles	Bruner	Carr	Colton
Dehivery	Gallagher	Gratias	Hall
Horn	Hulse	Hultman	Junkins
Kinley	Mann	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Absent or not voting, 4:

Drake	Hutchins	Lind	Ritsema
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Division S—5592B lost.

Senator Dieleman moved the adoption of division S—5592C.

Division S—5592C lost by a voice vote.

Senator Dieleman moved the adoption of division S—5592D.

Division S—5592D lost by a voice vote.

Senator Dieleman moved the adoption of division S—5592E and requested a record roll call.

On the question "Shall division S—5592E be adopted?" (S.F. 2328) the vote was:

Ayes, 9:

Dieleman	Goodwin	Gratias	Jensen
Miller, A.V.	Schwengels	Taylor	Vande Hoef
Van Gilst			

Nays, 35:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dehivery
Doyle	Gallagher	Gentleman	Gettings
Hall	Hester	Holt	Horn
Hulse	Husak	Hutchins	Junkins
Kinley	Mann	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Absent or not voting, 6:

Drake
Miller, C.P.

Holden
Ritsema

Hultman

Lind

Division S—5592E lost.

Senator Dieleman moved the adoption of division S—5592F.

Division S—5592F lost by a voice vote.

Senator Dieleman withdrew division S—5592G.

Senator Colton took the chair at 3:36 p.m.

Senator Rife offered amendment S—5606 filed by him on March 28, 1984, to pages 1, 5 and 7 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5606 be adopted?" (S.F. 2328) the vote, was:

Ayes, 10:

Brown
Goodwin
Small

Bruner
Holden
Taylor

Dieleman
Rife

Doyle
Schwengels

Nays, 34:

Anderson
Colton
Gettings
Holt
Hutchins
Mann
Palmer
Slater
Wells

Briles
Deluhery
Gratias
Horn
Jensen
Miller, A.V.
Priebe
Soorholtz
Welsh

Carr
Gallagher
Hall
Hulse
Junkins
Miller, C.P.
Readinger
Tieden

Coleman
Gentleman
Hester
Hultman
Kinley
Nystrom
Rodgers
Van Gilst

Absent or not voting, 6:

Drake
Vande Hoef

Husak
Waldstein

Lind

Ritsema

Amendment S—5606 lost.

Senator Gallagher withdrew amendment S—5591 filed by him on March 28, 1984, to page 3 of the bill.

Senator Rodgers offered amendment S—5524 filed by him on March 26, 1984, to page 3 of the bill and moved its adoption.

Amendment S—5524 was adopted by a voice vote.

Senator Rodgers withdrew amendment S—5530 filed by him on March 26, 1984, to page 5 of the bill.

Senator Gratias offered amendment S—5646 filed by him on March 29, 1984, to page 6 of the bill, moved its adoption and requested a non record roll call.

The ayes were 11, nays 33.

Amendment S—5646 lost.

Senator Rodgers offered amendment S—5529 filed by him on March 26, 1984, to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 33.

Amendment S—5529 lost.

Senator Rodgers offered amendment S—5751 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5751 was adopted by a voice vote.

Senator Rodgers offered amendment S—5545 filed by Senators Rodgers, et al., on March 27, 1984, to page 7 of the bill and moved its adoption.

Amendment S—5545 was adopted by a voice vote.

Senator Kinley offered amendment S—5611 filed by Senators Kinley and Gallagher on March 28, 1984, to page 7 of the bill.

Senator Dieleman raised the point of order that amendment S—5611 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5611 in order.

Senator Kinley moved the adoption of amendment S—5611, which motion prevailed by a voice vote.

Senator Dieleman offered amendment S—5579 filed by him on March 28, 1984, to page 7 of the bill and called for a division: lines 2 through 10 as division S—5579A and lines 11 through 21 as division S—5579B.

Senator Dieleman withdrew division S—5579A.

Senator Dieleman moved the adoption of division S—5579B.

Division S—5579B lost by a voice vote.

Senator Dieleman offered amendment S—5578 filed by him on March 28, 1984, to page 7 and the title page of the bill.

Senator Kinley raised the point of order that amendment S—5578 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5578 in order.

Senator Dieleman moved the adoption of amendment S—5578.

A non record roll call was requested.

The ayes were 16, nays 27.

Amendment S—5578 lost.

Senator Dieleman withdrew amendment S—5600 filed by him on March 28, 1984, to page 7 of the bill.

Senator Dieleman withdrew amendment S—5599 filed by him on March 28, 1984, to page 7 of the bill.

Senator Kinley asked and received unanimous consent that action on Senate File 2328 be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2327.

Senate File 2327

On motion of Senator Deluhery, Senate File 2327, a bill for an act relating to what constitutes discounts on transactions occurring between January 1, 1978 and July 1, 1984 involving farm equipment and related products for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect, was taken up for consideration.

Senator Deluhery offered amendment S—5747 filed by Senators Deluhery and Anderson from the floor to page 1 and to the title page of the bill.

Senator Junkins asked and received unanimous consent that further action on amendment S—5747 and Senate File 2327 be deferred.

BUSINESS PENDING**Senate File 2328**

The Senate resumed consideration of Senate File 2328, previously deferred.

Senator Kinley 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—5524 to Senate File 2328 was adopted by the Senate on April 3, 1984.

The motion prevailed by a voice vote and amendment S—5524 by Senator Rodgers to page 3 of the bill, was taken up for reconsideration.

Senator Rodgers offered amendment S—5755 filed by him from the floor to amendment S—5524 and moved its adoption.

Amendment S—5755 was adopted by a voice vote.

Senator Rodgers moved the adoption of amendment S—5524 as amended, which motion prevailed by a voice vote.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2328) the vote was:

Ayes, 35:

Anderson	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Gallagher
Gentleman	Gettings	Hall	Hester
Horn	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Slater	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Nays, 9:

Brown	Dieleman	Goodwin	Gratias
Holden	Schwengels	Small	Taylor
Vande Hoef			

Absent or not voting, 6:

Briles	Drake	Holt	Lind
Ritsema	Van Gilst		

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

Senator Junkins asked and received unanimous consent that Senate File 2328 be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2248

Senator Bruner called up for consideration Senate File 2248, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals and providing penalties and authorizing the department of water, air and waste management to adopt hazardous waste rules in respect to hazardous chemicals which are more restrictive than, but consistent with, federal requirements, amended by the House in House amendment S—5703 filed March 30, 1984.

Senator Bruner offered amendment S—5754 filed by him from the floor to House amendment S—5703 and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 19, voting present 1.

Amendment S—5754 was adopted.

Senator Bruner moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Bruner moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2248) the vote was:

Ayes, 41:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Gratias	Hall	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 3:

Goodwin	Holden	Hulse
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Absent or not voting, 6:

Briles	Drake	Lind	Ritsema
Vande Hoef	Van Gilst		

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

Senator Junkins asked and received unanimous consent that Senate File 2248 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 March 30, 1984, passed the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 117, a concurrent resolution relating to the bonding authority of the state board of regents.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 3, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2444, a bill for an act to provide that the taxable value of a building shall not be increased where the dollar amount of normal and necessary repairs to the building does not exceed two thousand five hundred dollars.

House File 2503, a bill for an act relating to the taxation of engraving, photography, retouching, printing, and binding under the state sales, services, and use tax.

House File 2507, a bill for an act relating to the penalties for certain taxes including cigarette and tobacco taxes, state motor vehicle fuel taxes, freight line and equipment car mileage taxes, income taxes, withholding taxes, franchise taxes, inheritance and estate taxes, sales and use taxes, and generation skipping transfer taxes.

House File 2513, a bill for an act relating to the requirement of a minimum nexus in at least one other state before an Iowa domiciled corporation may apportion its net income within and without the state for purposes of the corporate income tax and removing the special provision relating to apportionment of the net income of a farm corporation for purposes of the corporate income tax, with a retroactive effective date.

The foregoing bills were read first time and referred to the committee on **Ways and Means**.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following Governor's appointee on the En Bloc Calendar on April 3, 1984, and recommended the appointment be confirmed by the Senate:

Joe Ann Lutz—Iowa Real Estate Commission

LOWELL L. JUNKINS

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2220 passed the Senate on April 2, 1984.

LOWELL L. JUNKINS

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2183 passed the Senate on April 3, 1984.

TOM SLATER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2298 passed the Senate on April 2, 1984.

JOE J. WELSH

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5656 to Senate File 2298 was adopted by the Senate on April 2, 1984.

CHARLES BRUNER

STUDY BILL RECEIVED

S.S.B. 2260 Appropriations

Appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

SUBCOMMITTEE ASSIGNMENT FOR GOVERNOR'S APPOINTEE

In accordance with Senate Rule 60, the following Senators were appointed to a subcommittee of a standing committee on:

LABOR AND INDUSTRIAL RELATIONS: As Director of the Iowa Department of Job Service:

ROBERT G. HOLETZ
Anderson, Chair
Hultman
Hutchins

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 2, 1984, when the final vote was taken on Senate File 2310 and House File 2465.

Had I been present, I would have voted "aye" on these bills.

DAVID M. READINGER

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 2, 1984.

Had I been present, I would have voted "aye" on Senate Files 163, 292, 347, 449, 451, 465, 511, 517, 2059, 2084, 2091, 2101, 2104, 2159, 2189, 2212, 2213, 2220, 2228, 2233, 2261, 2294, 2298, 2301, 2310 and 2311, and House Files 2180, 2334, 2340, 2428, 2465 and 2466.

C.W. BILL HUTCHINS

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 3, 1984, the Governor approved and transmitted to the Secretary of the State the following bill:

S.F. 2160—To provide a preference for residents in awarding of public contracts in certain situations.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 2, 1984, 5:00 p.m.

Members Present: Small, Chair; Tieden, Ranking Member; Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Schwengels, Waldstein, Wells and Welsh.

Members Absent: Lind (excused), Palmer, Vice Chair, Husak and Readinger.

Final Bill Action: HOUSE FILE 2390, a bill for an act relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Small, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Schwengels, Waldstein, Wells and Welsh. Nays, none. Absent or not voting, 4: Palmer, Husak, Readinger and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Amended and approved SSB 2252 and approved SSB 2253 as committee bills.

Adjourned: 5:40 p.m.

PRESENTATION OF VISITORS

Present on Monday, April 2, 1984 in the Senate gallery were:

Fifty-two students from Murray Elementary School, Murray, Iowa, accompanied by Karen Stroud. Senator Briles.

The Chair welcomed the following visitors who were present in the Senate gallery on April 3, 1984:

Seventeen students from Lutheran Inter-Parish School, Williamsburg, Iowa, accompanied by Duane Miller. Senator Brown.

Thirty-five students from Mid-Prairie Community School, Wellman, Iowa, accompanied by Don Gaston. Senator Drake.

Twenty-four students from Scranton Junior-Senior High School, Scranton, Iowa, accompanied by Fred Johnson. Senator Nystrom.

Forty students from Alden Community High School, Alden, Iowa, accompanied by Janet Ziesman. Senator Taylor.

Students from Waukee Community Schools, Waukee, Iowa, accompanied by Mrs. Anfinson, Mrs. Vance and Mrs. Hileman. Senator Rodgers.

Senator Horn presented Gabriela Castillo, foreign exchange student from Merida Yucaton, Mexico, who was present in the Senate chamber.

PETITIONS

The following petitions were presented and placed on file by:

Senator Readinger from ten residents of Polk County favoring legislation protecting the consumer from excess electric bills.

Senator Taylor from seventy-five residents of Hamilton County opposing legislation providing for election day registration.

Senator Taylor from seventy-five residents of Hamilton County favoring legislation eliminating the requirement for notarization of absentee ballots, and further endorse the hand delivery of postcard registration forms.

AMENDMENTS FILED

S-5740	H.F.	2437	Tom Slater
S-5741	S. F.	2277	Berl E. Priebe
			Dale L. Tieden
S-5742	S. F.	2291	Emil J. Husak
			Jack Rife
S-5743	S. F.	414	Donald V. Doyle
			Tom Mann, Jr.
			James V. Gallagher
			Charles P. Miller
S-5744	H.F.	2470	James V. Gallagher
S-5745	S. F.	309	Dale L. Tieden
			Richard F. Drake
S-5746	S. F.	2331	James V. Gallagher
S-5747	S. F.	2327	Patrick J. Deluhery
			Ted Anderson
S-5748	S. F.	2293	James V. Gallagher

S-5749	S. F.	2298	Charles Bruner
S-5750	H.F.	2437	Julia Gentleman
			Jack W. Hester
			Tom Slater
S-5751	S. F.	2328	Norman G. Rodgers
S-5752	S. F.	309	C. Joseph Coleman
			Berl E. Priebe
S-5753	H.F.	2487	Julia Gentleman
S-5754	S. F.	2248	Charles Bruner
S-5755	S. F.	2328	Norman G. Rodgers

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:43 p.m. until 9:00 a.m., Wednesday, April 4, 1984.

JOURNAL OF THE SENATE

1291

EIGHTY-SEVENTH CALENDAR DAY FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 4, 1984

The Senate met in regular session at 9:00 a.m., Senator Vande Hoef presiding.

Prayer was offered by the Reverend Henry Thomas, pastor of the Union Baptist Church, Des Moines, Iowa.

The Journal of Tuesday, April 3, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Drake for the day 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 March 30, 1984, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 400, a bill for an act relating to the appointment of the director of the office of planning and programming (S—5756).

Senate File 2122, a bill for an act relating to county libraries (S—5757).

Senate File 2237, a bill for an act relating to the appointment, terms, retention and qualifications of magistrates (S—5758).

Senate File 2238, a bill for an act making Code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties (S—5759).

Senate File 2272, a bill for an act relating to modification of orders made in proceedings for dissolution of marriage, annulment or separate maintenance (S—5760).

Senate File 2273, a bill for an act to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic (S—5761).

ALSO: That the House has on April 2, 1984, passed the following bill in which the concurrence of the House was asked:

Senate File 2069, a bill for an act relating to the exemption certificate furnished by the state, its agencies, and political subdivisions of the state for the delivery of tax-exempt motor fuel.

ALSO: That the House has on April 2, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2326, a bill for an act to eliminate the county auditor's annual property valuation and tax report to the department of revenue.

This bill was read first time and referred to the committee on **Ways and Means**.

House File 2331, a bill for an act relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978 for personal and corporate and franchise tax purposes.

This bill was read first time and **passed on file**.

House File 2510, a bill for an act relating to the definition and taxation of real property within a self-supported municipal improvement district.

This bill was read first time and **passed on file**.

UNFINISHED BUSINESS (Deferred April 3, 1984)

Senate File 2327

The Senate resumed consideration of **Senate File 2327**, a bill for an act relating to what constitutes discounts on transactions

occurring between January 1, 1978 and July 1, 1984 involving farm equipment and related products for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect, and amendment S—5747 by Senators Deluhery and Anderson, to page 1 and the title page of the bill, deferred on April 3, 1984.

Senator Deluhery asked and received unanimous consent to withdraw amendment S—5747.

Senator Junkins asked and received unanimous consent that further action on **Senate File 2327** be deferred.

UNFINISHED BUSINESS (Deferred April 3, 1984)

Senate File 309

The Senate resumed consideration of **Senate File 309**, a bill for an act relating to the distance a person without an operator's license may move a farm tractor or implement of husbandry to farmland for conducting farm operations, House amendment S—5728 and amendment S—5745 by Senators Tieden and Drake to House amendment S—5728, deferred on April 3, 1984.

Senator Brown took the chair at 9:30 a.m.

Senator Tieden asked and received unanimous consent to withdraw amendment S—5745 to House amendment S—5728.

Senator Coleman asked and received unanimous consent to withdraw amendment S—5752 filed by Senators Coleman and Priebe on April 3, 1984, to House amendment S—5728.

Senator Priebe moved that the Senate concur in the House amendment.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

BILL RETURNED FROM COMMITTEE

Senator Junkins asked and received unanimous consent that **House File 2503**, previously referred to the committee on **Ways**

and Means on April 3, 1984, be withdrawn from committee and passed on file.

UNFINISHED BUSINESS
(Deferred April 3, 1984)

House File 2437

The Senate resumed consideration of House File 2437, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty and amendment S—5740 by Senator Slater to page 7 of the bill, deferred on April 3, 1984.

Senator Gentleman offered amendment S—5750 filed by Senator Gentleman on April 3, 1984, to page 7 of the bill and moved its adoption.

Amendment S—5750 was adopted by a voice vote.

With the adoption of amendment S—5750, the Chair ruled amendment S—5740 to page 7 of the bill, out of order.

Senator Husak asked and received unanimous consent that further action on **House File 2437** be deferred.

UNFINISHED BUSINESS
(Deferred March 30, 1984)

House File 2386

The Senate resumed consideration of House File 2386, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations, and the motion to reconsider division S—5650B by Senator Gentleman, deferred on March 30, 1984.

Senator Gentleman called up the motion to reconsider the vote by which amendment S—5415 to House File 2386 was adopted by the Senate on March 30, 1984, filed by her on March 30, 1984, and found on page 1209 of the Senate Journal.

Senator Gentleman moved the adoption of the motion to reconsider.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2386) the vote was:

Ayes, 19:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Doyle	Gallagher
Gentleman	Gettings	Holt	Horn
Junkins	Mann	Slater	Small
Waldstein	Wells	Welsh	

Nays, 27:

Briles	Coleman	Dieleman	Goodwin
Gratias	Hall	Hester	Holden
Hulse	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Rodgers	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	

Absent or not voting, 4:

Drake	Lind	Palmer	Ritsema
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The motion lost.

The Chair ruled the motion to reconsider division S—5650B by Senator Gentleman deferred on March 30, 1984, out of order.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2386) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Readinger	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden

Vande Hoef
Welsh

Van Gilst

Waldstein

Wells

Nays, none.

Absent or not voting, 5:

Drake
Ritsema

Lind

Palmer

Rife

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

Senator Junkins asked and received unanimous consent that House File 2386 be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred March 28, 1984)

House File 2392

The Senate resumed consideration of House File 2392, a bill for an act relating to the psychological testing of law enforcement, corrections, parole, and probation officers and community correctional service workers, and amendment S—5635 by Senators Holt and Miller of Cerro Gordo to page 1 of the bill, deferred on March 28, 1984.

Senator Vande Hoef offered amendment S—5739 filed by him on April 2, 1984, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5739 be adopted?" (H.F. 2392) the vote was:

Ayes, 20:

Briles
Gratias
Hultman
Readinger
Taylor

Dieleman
Hester
Hutchins
Rife
Tieden

Gentleman
Holt
Jensen
Schwengels
Vande Hoef

Goodwin
Hulse
Nystrom
Soorholtz
Waldstein

Nays, 25:

Anderson
Coleman

Brown
Colton

Bruner
DeLuhery

Carr
Doyle

Gettings	Hall	Holden	Horn
Husak	Jenkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Priebe	Rodgers
Slater	Small	Van Gilat	Wells
Welsh			

Absent or not voting, 5:

Drake	Gallagher	Lind	Palmer
Ritsema			

Amendment S—5739 lost.

The Chair ruled amendment S—5637 filed by Senator Vande Hoef on March 28, 1984, to page 1 of the bill, out of order.

Senator Holt moved the adoption of amendment S—5635 to page 1 of the bill.

A non record roll call was requested.

The ayes were 14, nays 31.

Amendment S—5635 lost.

Senator Miller of Cerro Gordo asked and received unanimous consent to withdraw amendment S—5694 filed by Senators Miller of Cerro Gordo and Holt on March 30, 1984, to page 2 of the bill.

The Chair ruled amendment S—5714 filed by Senators Dieleman and Gentleman on April 2, 1984, to amendment S—5637, out of order.

Senator Dieleman offered amendment S—5677 filed by Senators Dieleman and Gentleman on March 29, 1984, to page 1 of the bill and called for a division: lines 3 through 17 as division S—5677A and lines 18 through 23 as division S—5677B.

Senator Dieleman moved the adoption of division S—5677A, which motion prevailed by a voice vote.

The Chair ruled division S—5677B and amendment S—5665 filed by Senator Dieleman on March 29, 1984, to page 1 of the bill, out of order.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2392) the vote was

Ayes, 37:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Gratias	Hall	Hester	Holden
Horn	Hulse	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rodgers	Slater	Small
Soorholtz	Van Gilst	Waldstein	Wells
Welsh			

Nays, 9:

Briles	Goodwin	Holt	Hultman
Rife	Schwengels	Taylor	Tieden
Vande Hoef			

Absent or not voting, 4:

Drake	Lind	Miller, A.V.	Ritsema
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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 ADOPTED

Senator Hultman called up the motion to reconsider House File 2274 filed by him on March 26, 1984, found on page 1036 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2274) the vote was:

Ayes, 43:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger

Rife
Small
Van Gilst

Rodgers
Soorholtz
Waldstein

Schwengels
Taylor
Welsh

Slater
Vande Hoef

Nays, 2:

Holden

Tieden

Absent or not voting, 5:

Drake
Wells

Holt

Lind

Ritsema

The motion prevailed.

Senator Hultman moved to reconsider the vote by which House File 2274 went to its last reading, which motion prevailed by a voice vote.

House File 2274

On motion of Senator Priebe, House File 2274, a bill for an act relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return, was taken up for reconsideration.

Senator Hultman offered amendment S—5568 filed by him on March 27, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5568 was adopted by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2274) the vote was:

Ayes, 44:

Anderson
Carr
Dieleman
Gettings
Hester
Hultman
Junkins
Miller, C.P.
Readinger

Briles
Coleman
Doyle
Goodwin
Holt
Husak
Kinley
Nystrom
Rife

Brown
Colton
Gallagher
Gratias
Horn
Hutchins
Mann
Palmer
Rodgers

Bruner
Deluhery
Gentleman
Hall
Hulse
Jensen
Miller, A.V.
Priebe
Schwengels

Slater
Vande Hoef

Small
Van Gilst

Soorholtz
Waldstein

Tieden
Welsh

Nays, 2:

Holden

Taylor

Absent or not voting, 4:

Drake

Lind

Ritsema

Wells

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 2274 passed the Senate on April 4, 1984.

JAMES V. GALLAGHER

UNFINISHED BUSINESS (Deferred March 26, 1984)

House File 598

The Senate resumed consideration of House File 598, a bill for an act relating to altering, defacing, or removing a serial or identification mark or number and providing penalties, deferred on March 26, 1984.

Senator Taylor offered amendment S—5766 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5766 was adopted by a voice vote.

Senator Mann asked and received unanimous consent that further action on House File 598 be deferred.

UNFINISHED BUSINESS (Deferred March 30, 1984)

House File 2100

The Senate resumed consideration of House File 2100, a bill for an act relating to the location and operation of anhydrous ammonia

plants and defining nuisance as the term relates to the plants and amendment S—5662 by Senator Hall to strike everthing after the enacting clause of the bill, deferred on March 30, 1984.

Senator Wells took the chair at 11:14 a.m.

Senator Brown took the chair at 11:16 a.m.

Senator Gallagher offered amendment S—5722 filed by him on April 2, 1984, to amendment S—5662, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5722 be adopted?" (H.F. 2100) the vote was:

Ayes, 26:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Horn
Hutchins	Junkins	Kinley	Mann
Miller, C.P.	Palmer	Priebe	Readinger
Rodgers	Slater	Small	Soorholtz
Tieden	Welsh		

Nays, 19:

Briles	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Hultman	Jensen	Miller, A.V.
Nystrom	Schwengels	Taylor	Vande Hoef
Van Gilst	Waldstein	Wells	

Absent or not voting, 5:

Drake	Husak	Lind	Rife
Ritsema			

Amendment S—5722 was adopted.

Senator Gallagher offered amendment S—5720 filed by him on April 2, 1984, to amendment S—5662 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5720 to amendment S—5662 be adopted?" (H.F. 2100) the vote was:

Ayes, 11:

Anderson	Brown	Bruner	Carr
Colton	Gallagher	Gettings	Horn
Mann	Slater	Small	

Nays, 35:

Briles	Coleman	Deluhery	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Absent or not voting, 4:

Drake	Jensen	Lind	Ritsema
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Amendment S—5720 lost.

Senator Hall moved the adoption of amendment S—5662 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5662 as amended, the Chair ruled the following amendments out of order:

S—5521 filed by Senator Hall on March 26, 1984, to page 4 of the bill.

S—5717 filed by Senator Gallagher on April 2, 1984, to page 4 of the bill.

S—5721 filed by Senator Gallagher on April 2, 1984, to pages 2 and 3 of the bill.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2100) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Slater
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, 2:

Deluhery	Gallagher
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Absent or not voting, 3:

Drake	Lind	Ritsema
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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 Junkins asked and received unanimous consent that House File 2100 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 March 26, 1984, amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect (S-5763).

ALSO: That the House has on April 2, 1984, concurred in Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked:

House File 540, a bill for an act relating to chapter 91A (S-5764).

ALSO: That the House has on April 2, 1984, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 169, a bill for an act establishing a time limit for completion of audits of units of local government.

House File 257, a bill for an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties.

House File 508, a bill for an act to eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities.

House File 2067, a bill for an act establishing an age limit for participants in amateur boxing.

House File 2414, a bill for an act relating to credit union reciprocity, par value of shares, deposits, investments, powers, membership, and reserves.

ALSO: That the House has on April 2, 1984, concurred in the Senate amendment to the House amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 190, a bill for an act relating to leaves of absence for persons who are elected to municipal, county, state, or federal offices and providing penalties.

ALSO: That the House has on April 3, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2515, a bill for an act relating to the tort liability of municipal governments by allowing self-insured cities to levy additional taxes to cover the cost of tort liability.

This bill was read first time and passed on file.

ALSO: That the House has on April 3, 1984, passed (with amendment H-6047) the following bill in which the concurrence of the Senate is asked:

House File 2512, a bill for an act relating to the exemption from the state sales, services, and use tax for sales by trade shops to printers and making the exemption retroactive to July 1, 1971.

This bill was read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:42 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:41 p.m., Senator Brown presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 2333, by Committee on Appropriations, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole.

Read first time and placed on the Appropriations Calendar.

MOTION TO RECONSIDER ADOPTED

Senator Junkins called up the motion to reconsider Senate File 2220 filed by him on April 3, 1984, found on page 1286 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2220) the vote was:

Ayes, 42:

Anderson
Carr
Dieleman
Gettings
Hester
Hulse
Kinley

Briles
Coleman
Doyle
Goodwin
Holden
Hultman
Lind

Brown
Colton
Gallagher
Gratias
Holt
Husak
Miller, A.V.

Bruner
Deluhery
Gentleman
Hall
Horn
Junkins
Miller, C.P.

Nystrom
Rife
Soorholtz
Wells

Palmer
Rodgers
Taylor
Welsh

Priebe
Schwengels
Van Gilst

Readinger
Slater
Waldstein

Nays, 1:

Tieden

Absent or not voting, 7:

Drake
Ritsema

Hutchins
Small

Jensen
Vande Hoef

Mann

The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 2220 went to its last reading, which motion prevailed by a voice vote.

Senate File 2220

On motion of Senator Holden, Senate File 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit and geographic limits for bank holding companies, and providing reciprocity for credit unions, was taken up for reconsideration.

Senator Holden filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—5701 as amended to Senate File 2220 on April 2, 1984.

The motion prevailed by a voice vote and House amendment S—5701 as amended was taken up for reconsideration.

Senator Holden 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—5719 to House amendment S—5701 to Senate File 2220 was adopted by the Senate on April 2, 1984.

The motion prevailed by a voice vote and amendment S—5719 by Senators Kinley and Holden to House amendment S—5701 was taken up for reconsideration.

Senator Holden asked and received unanimous consent to withdraw amendment S—5719 to House amendment S—5701.

Senator Holden offered amendment S—5767 filed by Senators Holden and Kinley from the floor to House amendment S—5701 and moved its adoption.

Amendment S—5767 was adopted by a voice vote.

Senator Holden moved that the Senate concur in House amendment S—5701 as amended, which motion prevailed by a voice vote.

Senator Holden moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2220) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Drake	Jensen	Mann	Ritsema
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Junkins asked and received unanimous consent that Senate File 2220 be immediately messaged to the House.

BUSINESS PENDING

House File 598

The Senate resumed consideration of House File 598, previously deferred.

Senator Doyle asked and received unanimous consent that further action on House File 598 be deferred.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 2318

On motion of Senator Small, Senate File 2318, a bill for an act relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes, was taken up for consideration.

Senator Small asked and received unanimous consent that further action on Senate File 2318 be deferred.

Senate File 2319

On motion of Senator Small, Senate File 2319, a bill for an act to repeal the sales and use tax on newsprint and ink, was taken up for consideration.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2319) the vote was:

Ayes, 43:

Anderson
Carr
Dieleman
Gettings

Briles
Coleman
Doyle
Goodwin

Brown
Colton
Gallagher
Gratias

Bruner
Deluhery
Gentleman
Hall

Hester	Horn	Hulse	Hultman
Husak	Hutchins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 1:

Holden

Absent or not voting, 6:

Drake	Holt	Jensen	Junkins
Mann	Ritsema		

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

BUSINESS PENDING

Senate File 2318

The Senate resumed consideration of Senate File 2318, previously deferred.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2318) the vote was:

Ayes, 46:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Drake

Jensen

Mann

Ritsema

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

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 2323.

Senate File 2323

On motion of Senator Van Gilst, Senate File 2323, a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, and making technical corrections, was taken up for consideration.

Senator Van Gilst moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2323) the vote was

Ayes, 44:

Anderson
Carr
Dieleman
Goodwin
Holden
Hultman
Kinley
Nystrom
Rodgers
Soorholtz
Van Gilst

Briles
Coleman
Doyle
Gratias
Holt
Husak
Lind
Palmer
Schwengels
Taylor
Waldstein

Brown
Colton
Gallagher
Hall
Horn
Hutchins
Miller, A.V.
Priebe
Slater
Tieden
Wells

Bruner
Deluhery
Gettings
Hester
Hulse
Junkins
Miller, C.P.
Readinger
Small
Vande Hoef
Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Drake
Ritsema

Jensen

Mann

Rife

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

Senate File 2324

On motion of Senator Soorholtz, Senate File 2324, a bill for an act relating to the definition and taxation of real property within a self-supported municipal improvement district, was taken up for consideration.

Senator Soorholtz asked and received unanimous consent that House File 2510 be substituted for Senate File 2324.

House File 2510

On motion of Senator Soorholtz, House File 2510, a bill for an act relating to the definition and taxation of real property within a self-supported municipal improvement district, was taken up for consideration.

Senator Soorholtz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2510) the vote was:

Ayes, 47:

Anderson

Carr

Dieleman

Gettings

Hester

Hulse

Junkins

Miller, A.V.

Priebe

Schwengels

Briles

Coleman

Doyle

Goodwin

Holden

Hultman

Kinley

Miller, C.P.

Readinger

Slater

Brown

Colton

Gallagher

Gratias

Holt

Husak

Lind

Nystrom

Rife

Small

Bruner

Deluhery

Gentleman

Hall

Horn

Hutchins

Mann

Palmer

Rodgers

Soorholtz

Taylor
Waldstein

Tieden
Wells

Vande Hoef
Welsh

Van Gilst

Nays, none.

Absent or not voting, 3:

Drake

Jensen

Ritsema

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

WITHDRAWN

Senator Soorholtz asked and received unanimous consent that Senate File 2324 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 2325

On motion of Senator Van Gilst, Senate File 2325, a bill for an act relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978 for personal and corporate and franchise tax purposes and making the Act retroactive, was taken up for consideration.

Senator Palmer offered amendment S—5768 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5768 was adopted by a voice vote.

Senator Van Gilst asked and received unanimous consent that further action on Senate File 2325 be deferred.

MOTION TO RECONSIDER ADOPTED

Senator Palmer called up the motion to reconsider Senate File 2007 filed by him on February 16, 1984, found on page 467 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2007) the vote was:

Ayes, 37:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gettings	Gratias
Hall	Holt	Horn	Hultman
Husak	Hutchins	Junkins	Kinley,
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Van Gilst	Waldstein	Wells
Welsh			

Nays, 9:

Gentleman	Goodwin	Hester	Holden
Hulse	Readinger	Taylor	Tieden
Vande Hoef			

Absent or not voting, 4:

Coleman	Drake	Jensen	Ritsema
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The motion prevailed.

Senator Palmer moved to reconsider the vote by which Senate File 2007 went to its last reading, which motion prevailed by a voice vote.

Senate File 2007

On motion of Senator Priebe, Senate File 2007, a bill for an act authorizing the board of supervisors to waive the payment of penalty and interest on delinquent property taxes for reasons of severe economic conditions, was taken up for reconsideration.

Senator Holt offered amendment S—5157 filed by him on February 27, 1984, to page 1 and the title page of the bill.

Senator Priebe raised the point of order that amendment S—5157 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5157 out of order.

Senator Palmer offered amendment S—5322 filed by him on March 9, 1984, to page 1 of the bill and moved its adoption.

Amendment S—5322 was adopted by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2007) the vote was

Ayes, 36:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gettings
Hall	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rife	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Van Gilst	Wells	Welsh

Nays, 8:

Gentleman	Goodwin	Gratias	Holden
Hulse	Readinger	Tieden	Vande Hoef

Absent or not voting, 6:

Drake	Hester	Holt	Jensen
Ritsema	Waldstein		

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

Senator Junkins asked and received unanimous consent that Senate File 2007 be immediately messaged to the House.

BUSINESS PENDING

Senate File 2325

The Senate resumed consideration of Senate File 2325 previously deferred.

Senator Gratias offered amendment S—5771 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5771 was adopted by a voice vote.

Senator Van Gilst asked and received unanimous consent that House File 2331 be substituted for Senate File 2325.

House File 2331

On motion of Senator Van Gilst, House File 2331, a bill for an act relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978 for personal and corporate and franchise tax purposes, was taken up for consideration.

Senator Van Gilst withdrew amendment S—5770 filed by him from the floor to page 1 and the title page of the bill.

Senator Van Gilst moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2331) the vote was:

Ayes, 43:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Drake	Hester	Holt	Mann
Ritzema	Slater	Waldstein	

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

WITHDRAWN

Senator Van Gilst asked and received unanimous consent that Senate File 2325 be withdrawn from further consideration of the Senate.

BUSINESS PENDING

Senate File 2327

The Senate resumed consideration of Senate File 2327, previously deferred.

Senator Gallagher offered amendment S—5769 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 32, nays 11.

Amendment S—5769 was adopted.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2327) the vote was:

Ayes, 45:

Anderson	Briles	Brown	Bruner
Carr	Colton	Deluhery	Dieleman
Doyle	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Coleman	Drake	Mann	Ritsema
Vande Hoef			

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate Files 309, 2318, 2319, 2323, 2327 and House Files 2392 and 2510** be immediately messaged to the House.

UNFINISHED BUSINESS

(Deferred March 30, 1984)

Senate Concurrent Resolution 106

The Senate resumed consideration of Senate Concurrent Resolution 106, a resolution citing legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services as drafted in accordance with Public Law 94-519, deferred on March 30, 1984.

Senator Schwengels moved the adoption of Senate Concurrent Resolution 106, which motion prevailed by a voice vote.

UNFINISHED BUSINESS

(Deferred March 30, 1984)

House File 2470

The Senate resumed consideration of House File 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands, and amendment S—5690 by Senator Mann to pages 1 and 2 of the bill, deferred on March 30, 1984.

Senator Colton took the chair at 3:51 p.m.

Senator Gallagher offered amendment S—5744 filed by him on April 3, 1984, to amendment S—5690 and moved its adoption.

Amendment S—5744 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—5690 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5690 as amended, the Chair ruled amendment S—5594 filed by Senator Mann on March 28, 1984, to pages 1, 2 and title page of the bill, out of order.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2470) the vote was:

Ayes, 42:

Anderson	Briles	Brown	Bruner
Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rodgers
Schwengels	Slater	Small	Soorholtz
Taylor	Tieden	Van Gilst	Waldstein
Wells	Welsh		

Nays, 3:

Holden	Hulse	Vande Hoef
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Absent or not voting, 5:

Drake	Jensen	Nystrom	Rife
Ritsema			

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 2470 passed the Senate on April 4, 1984.

C. JOSEPH COLEMAN

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that House File 598 be referred from the Unfinished Business Calendar to the committee on Judiciary.

Senator Junkins asked and received unanimous consent that Senate Files 2331 and 2333 and House File 2390 be referred from the Appropriations Calendar to the committee on Finance.

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

The Senate resumed session, President Anderson presiding.

BILL REFERRED TO COMMITTEE

President Anderson announced that House File 2511 was referred from the Appropriations Calendar to the committee on Finance.

INTRODUCTION OF BILL

Senate File 2384, by the committee on Appropriations, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and providing an effective date.

Read first time and referred to the committee on Finance.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—5751 to Senate File 2328, the following technical correction was made:

S—5751:

1. Page 1, line 42, "last" was changed to "least".

K. MARIE THAYER
Secretary of the Senate

EXPLANATION OF VOTES

MR. PRESIDENT: Due to the birth of our daughter, Bristen Bianca Brown at 10:31 a.m., I was necessarily absent from the Senate chamber on the morning of April 3, 1984.

Had I been present, I would have voted "aye" on Senate Files 176, 253, 414, 2035, 2132, 2183, 2235, 2247, 2257, 2269, 2270, 2317; House File 2110 and amendment S—5660. I would have voted "nay" on Senate File 2291 and amendment S—5742.

JOE BROWN

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Tuesday, April 3, 1984, when the final vote was taken on Senate File 176.

Had I been present, I would have voted "aye" on this bill.

DAVID M. READINGER

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate Concurrent Resolution 106 passed the Senate on April 4, 1984.

RAY TAYLOR

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 4, 1984, 11:40 a.m.

Members Present: Small, Chair; Tieden, Ranking Member; Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Schwengels, Waldstein, Wells and Welsh.

Members Absent: Palmer, Vice Chair and Lind (excused).

Final Bill Action: SENATE FILE 2333 (SSB 2252), a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Small, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Schwengels, Waldstein, Wells and Welsh. Nays, none. Absent or not voting, 2: Palmer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2511, a bill for an act relating to and making appropriations to the auditor of state and the treasurer of state and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Small, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Schwengels, Waldstein, Wells and Welsh. Nays, none. Absent or not voting, 2: Palmer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Amended and approved SSB 2256 and approved SSB 2254 as committee bills; assigned bill to subcommittee.

Adjourned: 12:20 p.m.

APPROPRIATIONS

Convened: April 4, 1984, 4:32 p.m.

Members Present: Small, Chair; Palmer, Vice Chair; Tieden, Ranking Member; Bruner, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Lind, Schwengels, Waldstein, Wells and Welsh.

Members Absent: Carr, Husak and Readinger.

Final Bill Action: SENATE FILE 2334 (SSB 2256), a bill for an act relating to the funding of state agencies for designated service programs including health

programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Small, Palmer, Tieden, Bruner, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Lind, Schwengels, Waldstein, Wells and Welsh. Nays, none. Absent or not voting, 3: Carr, Husak and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:35 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. B.J. Heineman, D.O., Story City, Iowa.

PRESENTATION OF VISITORS

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

Fifty students from Highland High School, Riverside, Iowa, accompanied by Chris Samuelson. Senator Drake.

Twenty-four students from Audubon High School, Audubon, Iowa. Senator Hutchins.

Ninety students from Johnston High School, Johnston, Iowa, accompanied by Dave Pitz. Senator Palmer.

Thirty-six students from Urbandale High School, Urbandale, Iowa, accompanied by Rhonda Fie. Senator Readinger.

Forty-six students from Panora-Linden Middle School, Panora, Iowa, accompanied by Mary Lou Danning and Hal Rossow. Senator Rodgers.

Forty-three students from Manson Junior High School, Manson, Iowa, accompanied by Gary Mays and Mike Jepson. Senator Waldstein.

Thirty students from Newell-Providence Jr.-Sr. High School, Newell, Iowa, accompanied by Phillip Casey. Senator Waldstein.

Forty-three students from Schaller Jr. High School, Schaller, Iowa, accompanied by Lois Taylor and Diane McInerney. Senator Waldstein.

Senator Husak welcomed the Honorable Ralph Potter, former member of the Senate from Marion, Linn County, Iowa, who was present in the Senate chamber. He was accompanied by William Powell, Glen Davis and Paul De Gregorio from the Small Business Administration in Kansas City.

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

Twenty students from Nevada Seventh Day Adventist School, Nevada, Iowa, accompanied by Terry Johnson. Senator Bruner.

Forty students from Lenox High School, Lenox, Iowa, accompanied by Tom Dillivan and Pauline Miller. Senator Briles.

The following students were present in the Senate gallery:

Twenty-five students from Lakeview Elementary School, Centerville, Iowa, accompanied by Helen Ogelsby. Senator Gettings.

AMENDMENTS FILED

S-5756	S. F.	400	House Amendment
S-5757	S. F.	2122	House Amendment
S-5758	S. F.	2237	House Amendment
S-5759	S. F.	2238	House Amendment
S-5760	S. F.	2272	House Amendment
S-5761	S. F.	2273	House Amendment
S-5762	H.F.	2487	Wm. W. (Bill) Dieleman
S-5763	S. J. R.	9	House Amendment
S-5764	H.F.	540	House Amendment
S-5766	H.F.	598	Ray Taylor
S-5767	S. F.	2220	Edgar H. Holden
			George R. Kinley
S-5768	S. F.	2325	William D. Palmer
S-5769	S. F.	2327	James V. Gallagher
S-5770	H.F.	2331	Bass Van Gilst
S-5771	S. F.	2325	Arthur L. Gratias

S-5772	H.F.	2487	Norman G. Rodgers John N. Nystrom James E. Briles Alvin V. Miller Calvin O. Hultman Charles P. Miller Lee W. Holt James D. Wells
S-5773	H.F.	2487	Edgar H. Holden Milo Colton Don E. Gettings
S-5774	H.F.	2487	Edgar H. Holden Milo Colton Don E. Gettings
S-5775	H.F.	2487	Edgar H. Holden Milo Colton Don E. Gettings

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Thursday, April 5, 1984.

JOURNAL OF THE SENATE

1325

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 5, 1984

The Senate met in regular session of 9:00 a.m., President Anderson presiding.

Prayer was offered by the Reverend Jeff Schaefer, pastor of the Bethlehem Lutheran Church, Cherokee, Iowa.

The Journal of Wednesday, April 4, 1984, 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 March 26, 1984, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2082, a bill for an act relating to the confidentiality of Iowa department of corrections records and providing a penalty (S—5778).

ALSO: That the House has on March 27, 1984, amended and passed the following bill in which the concurrence of the House asked:

Senate File 2268, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty (S—5777).

ALSO: That the House has on March 30, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2188, a bill for an act relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale (S—5776).

ALSO: That the House has on April 2, 1984, passed the following bill in which the concurrence of the Senate is asked:

House File 2508, a bill for an act relating to the licensing and regulation of mobile homes and mobile home parks, and authorizing the imposition of fines for violations.

This bill was read first time and passed on file.

ALSO: That the House has on April 3, 1984, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 48, a bill for an act authorizing counties to contract with registered or certified public accountants to audit their financial records and transactions.

House File 189, a bill for an act requiring state banks and state savings and loan associations to acquire and maintain account insurance on their deposits.

House File 2234, a bill for an act requiring repair or replacement of a new motor vehicle which does not conform to express warranties.

House File 2385, a bill for an act relating to the frequency of inspection of grain dealers.

House File 2415, a bill for an act providing for the creation of a home equity line of credit and priority of advances under mortgages securing the home equity line of credit.

House File 2426, a bill for an act relating to the study of the feasibility of a state-owned hazardous waste treatment and resource recovery facility.

House File 2463, a bill for an act relating to the priority of construction mortgage liens.

House File 2467, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain child support debts.

House File 2468, a bill for an act relating to the election laws by providing a method of challenging nomination petitions, eliminating the requirement for notarization of absentee ballots, allowing the mailing of certain absentee ballots, regulating the office hours of the county commissioner of elections, revising delivery of registration forms and changes in registration,

requiring identification of political advertisers, providing for assistance to certain voters and making certain technical corrections to the voting laws and providing penalties and effective dates.

ALSO: That the House has on April 3, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2165, a bill for an act providing for the development of a proposal to reduce upper-level management positions in certain state agencies (S—5786).

Senator Dieleman took the chair at 9:17 a.m.

QUORUM CALL

Senator Junkins 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 for the purpose of party caucuses.

The Senate resumed session, Senator Colton presiding.

QUORUM CALL

Senator Junkins 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 File 2335, a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and

by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services.

Read first time and placed on the Appropriations Calendar.

Senate File 2336, a bill for an act to require that a uniform system of program accounting be approved by the state board of public instruction and implemented by the area education agencies.

Read first time and placed on the Appropriations Calendar.

President Anderson took the chair at 10:55 a.m.

UNFINISHED BUSINESS (Deferred March 29, 1984)

House File 2487

The Senate resumed consideration of House File 2487, a bill for an act relating to liability in tort by establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property and eliminating governmental immunity for certain public improvements and places, deferred and referred to the committee on Judiciary on March 29, 1984, with the report of the committee on Judiciary recommending amendment and passage on April 2, 1984.

Senator Doyle offered amendment S—5738 filed by the committee on Judiciary on April 2, 1984, to pages 1 through 6 of the bill and called for a division:

Division S—5738A: Page 1, lines 3 through 8.

Division S—5738B: Page 1, lines 9 through 18.

Division S—5738C: Page 1, lines 19 through 45.

Division S—5738D: Page 1, lines 46 through 50 and page 2, lines 1 through 37.

Senator Doyle asked and received unanimous consent that action on divisions S—5738A and S—5738B be deferred.

Senator Drake called for a further division of amendment S—5738:

Division S—5738D: Page 1, lines 46 through 50 and page 2, lines 1 through 3.

Division S—5738E: Page 2, lines 4 through 19.

Division S—5738F: Page 2, lines 20 and 21.

Division S—5738G: Page 2, lines 22 through 34.

Division S—5738H: Page 2, lines 35 through 37.

Senator Drake offered amendment S—5784 filed by Senators Drake, et al., from the floor to division S—5738C.

Senator Doyle asked and received unanimous consent that further action on divisions S—5738A through S—5738H, amendment S—5784 to division S—5738C and House File 2487 be deferred.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:40 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:14 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Junkins requested a non record roll call to determine that a quorum was present.

President Anderson took the chair at 1:26 p.m.

The vote revealed 47 present, 3 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate Joint Resolution 9

Senator Small called up for consideration Senate Joint Resolution 9, a joint resolution proposing an amendment to the

Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect, amended by the House, and moved that the Senate concur in House amendment S—5763 filed April 4, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Small moved that the resolution as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

Senator Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

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 26 of Article III of the Constitution of the State of Iowa, as amended by the Amendment of 1966, is repealed and the following adopted in lieu thereof:

“An act of the general assembly passed at a regular session of a general assembly shall take effect on July 1 following its passage by the general assembly and approval by the governor unless a different effective date is stated in an act of the general assembly. An act passed at a special session of a general assembly shall take effect ninety days after adjournment of the special session of the general assembly unless a different effective date is stated in an act of the general assembly. The general assembly shall establish by law a procedure for giving notice of the contents of acts which will become law before July 1 following adjournment of a regular session of a general assembly or before ninety days following adjournment of a special session of the general assembly.”

Sec. 2. The foregoing 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 the same 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. 9) the vote was:

Yeas, 45:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Briles	Lind	Readerger	Ritsema
Taylor			

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

BUSINESS PENDING

House File 2487

The Senate resumed consideration of House File 2487, divisions S—5738A through S—5738H and amendment S—5784 to division S—5738C, previously deferred.

Senator Drake asked and received unanimous consent to withdraw amendment S—5784 to division S—5738C.

Senator Drake offered amendment S—5798 filed by Senators Drake, et al., from the floor to division S—5738C, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5798 to division S—5738C be adopted?" (H.F. 2487) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Briles	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Jensen	Lind	Miller, A.V.	Nystrom
Palmer	Priebe	Rife	Schwengels
Soorholtz	Tieden	Vande Hoef	Van Gilst
Waldstein			

Nays, 22:

Anderson	Bruner	Carr	Coleman
Colton	Dehivery	Dieleman	Doyle
Gallagher	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Miller, C.P.
Readinger	Rodgers	Slater	Small
Wells	Welsh		

Absent or not voting, 8:

Brown	Ritsema	Taylor
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Amendment S—5798 was adopted.

Senator Drake offered amendment S—5797 filed by Senators Drake, et al., from the floor to division S—5738C.

Senator Drake asked and received unanimous consent that action on amendment S—5797 to division S—5738C be deferred for consideration of amendment S—5799 to division S—5738C.

Senator Small offered amendment S—5799 filed by him from the floor to division S—5738C and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 22.

Amendment S—5799 was adopted.

With the adoption of amendment S—5799 to division S—5738C, the Chair ruled the following amendments to division S—5738C, out of order:

S—5762 filed by Senator Dieleman on April 4, 1984.

S—5780 filed by Senator Dieleman from the floor.

S—5782 filed by Senators Mann and Coleman from the floor.

S—5788 filed by Senator Small from the floor.

S—5797 by Senators Drake, et al., previously deferred.

Senator Doyle asked and received unanimous consent that action on division S—5738C as amended be deferred.

Senator Doyle moved the adoption of division S—5738D, which motion prevailed by a voice vote.

Senator Kinley took the chair at 3:29 p.m.

Senator Gentleman offered amendment S—5753 filed by her on April 3, 1984 to division S—5738E.

Senator Small asked and received unanimous consent that action on amendment S—5753 to division S—5738E and division S—5738E be deferred.

Senator Jensen offered amendment S—5779 filed by him from the floor to division S—5738F.

Senator Doyle raised the point of order that amendment S—5779 to division S—5738F was not germane.

Senator Doyle withdrew his point of order.

Senator Jensen withdrew amendment S—5779 to division S—5738F.

Senator Holden offered amendment S—5773 filed by Senators Holden, Colton and Gettings on April 4, 1984, to division S—5738F and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5773 to division S—5738F be adopted?" (H.F. 2487) the vote was:

Ayes, 22:

Briles	Brown	Coleman	Colton
Deluhery	Gettings	Goodwin	Gratias
Holden	Holt	Hultman	Husak
Kinley	Lind	Miller, C.P.	Palmer
Priebe	Slater	Taylor	Tieden
Van Gilst	Welsh		

Nays, 26:

Anderson	Bruner	Carr	Dieleman
Doyle	Drake	Gallagher	Gentleman
Hall	Horn	Hulse	Hutchins
Jensen	Junkins	Mann	Miller, A.V.
Nystrom	Readinger	Rife	Rodgers
Schwengels	Small	Soorholtz	Vande Hoef
Waldstein	Wells		

Absent or not voting, 2:

Hester Ritsema

Amendment S—5773 lost.

Senator Holden offered amendment S—5774 filed by Senators Holden, Colton and Gettings on April 4, 1984, to division S—5738F. moved its adoption and requested a record roll call.

On the question "Shall amendment S—5774 to division S—5738F be adopted?" (H.F. 2487) the vote was:

Ayes, 26:

Briles	Coleman	Colton	Deluhery
Dieleman	Doyle	Gettings	Goodwin
Gratias	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Kinley	Lind	Miller, C.P.	Palmer
Priebe	Schwengels	Taylor	Tieden
Van Gilst	Welsh		

Nays, 22:

Anderson	Brown	Bruner	Carr
Drake	Gallagher	Gentleman	Hall
Hester	Junkins	Mann	Miller, A.V.
Nystrom	Readinger	Rife	Rodgers
Slater	Small	Soorholtz	Vande Hoef
Waldstein	Wells		

Absent or not voting, 2:

Hutchins

Ritsema

Amendment S—5774 was adopted.

With the adoption of amendment S—5774 to division S—5738F, the Chair ruled the following amendments to division S—5738F out of order:

S—5775 filed by Senators Holden, Colton and Gettings on April 4, 1984.

S—5785 filed by Senator Mann from the floor.

S—5789 filed by Senator Holden from the floor.

Action on division S—5738F as amended was temporarily deferred.

Senator Doyle moved the adoption of division S—5738G, which motion prevailed by a voice vote.

Senator Mann offered amendment S—5781 filed by Senators Mann and Coleman from the floor to division S—5738H and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 27.

Amendment S—5781 lost.

Senator Doyle offered amendment S—5793 filed by him from the floor to division S—5738H and moved its adoption.

Amendment S—5793 was adopted by a voice vote.

Action on division S—5738H as amended was temporarily deferred.

Senator Doyle moved the adoption of division S—5738B, previously deferred.

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 25, nays 21.

Division S—5738B was adopted.

Senator Doyle moved the adoption of division S—5738H as amended, previously deferred.

Division S—5738H was adopted by a voice vote.

The Senate resumed consideration of division S—5738F as amended, previously deferred.

Senator Jensen asked and received unanimous consent that amendment S—5779 to division S—5738F, previously withdrawn, be eligible for further consideration of the Senate.

Senator Coleman raised the point of order that amendment S—5779 to division S—5738F was not germane.

The Chair ruled the point not well taken and amendment S—5779 to division S—5738F in order.

Senator Jensen moved the adoption of amendment S—5779 to division S—5738F.

A record roll call was requested.

On the question "Shall amendment S—5779 to division S—5738F be adopted?" (H.F. 2487) the vote was:

Ayes, 35:

Brown	Bruner	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Lind
Miller, A.V.	Nystrom	Priebe	Readinger
Rife	Rodgers	Schwengels	Soprholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 13:

Anderson	Carr	Coleman	Colton
Doyle	Gallagher	Horn	Kinley
Mann	Miller, C.P.	Palmer	Slater
Small			

Absent or not voting, 2:

Briles

Ritsema

Amendment S—5779 was adopted.

Senator Mann offered amendment S—5804 filed by him from the floor to division S—5738F.

Senator Gentleman raised the point of order that amendment S—5804 to division S—5738F was not germane.

The Chair ruled the point not well taken and amendment S—5804 in order.

Senator Mann moved the adoption of amendment S—5804 to division S—5738F.

A non record roll call was requested.

The ayes were 15, nays 32.

Amendment S—5804 lost.

Senator Doyle filed the following motion to reconsider from the floor, moved its adoption and requested a non record roll call:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5774 to division S—5738F was adopted by the Senate on April 5, 1984.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked,

The ayes were 26, nays 23.

The motion prevailed and amendment S—5774 by Senators Holden, Colton and Gettings to division S—5738F, was taken up for reconsideration.

Senator Holden moved the adoption of amendment S—5774 to division S—5738F.

A record roll call was requested.

On the question "Shall amendment S—5774 to division S—5738F be adopted?" (H.F. 2487) the vote was:

Ayes, 30:

Anderson	Briles	Brown	Carr
Colton	Deluhery	Dieleman	Gallagher
Gettings	Goodwin	Gratias	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, C.P.	Nystrom	Palmer	Priebe
Rodgers	Schwengels	Slater	Taylor
Tieden	Welsh		

Nays, 19:

Bruner	Coleman	Doyle	Drake
Gentleman	Hall	Hester	Horn
Junkins	Mann	Miller, A.V.	Readinger
Rife	Small	Soorholtz	Vande Hoef
Van Gilst	Waldstein	Wells	

Absent or not voting, 1:

Ritsema

Amendment S—5774 was adopted.

Senator Doyle offered amendment S—5806 filed by him from the floor to division S—5738F and moved its adoption.

Amendment S—5806 was adopted by a voice vote.

Action on division S—5738F as amended was temporarily deferred.

The Senate resumed consideration of division S—5738E and amendment S—5753 to division S—5738E, previously deferred.

Senator Small withdrew amendment S—5807 filed by him from the floor to division S—5738E.

Senator Gentleman moved the adoption of amendment S—5753 to division S—5738E.

A non record roll call was requested.

The ayes were 41, nays 8.

Amendment S—5753 was adopted.

Senator Doyle moved the adoption of division S—5738E as amended, which motion prevailed by a voice vote.

Senator Doyle moved the adoption of division S—5738F as amended, previously deferred.

Division S—5738F as amended was adopted as a voice vote.

Senator Doyle moved the adoption of division S—5738C as amended, previously deferred.

Division S—5738C as amended was adopted.

The Senate resumed consideration of division S—5738A, previously deferred.

Senator Mann offered amendment S—5783 filed by Senators Mann and Coleman from the floor to division S—5738A and moved its adoption.

On the question "Shall amendment S—5783 to division S—5738A be adopted?" (H.F. 2487) 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	Bruner	Coleman
Colton	Dieleman	Doyle	Gallagher
Gettings	Horn	Husak	Junkins
Kinley	Mann	Nystrom	Palmer
Readinger	Rodgers	Slater	Small
Wells	Welsh		

Nays, 27:

Briles	Carr	Deluhery	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hulse
Hultman	Hutchins	Jensen	Lind
Miller, A.V.	Miller, C.P.	Priebe	Rife
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	

Absent or not voting, 1:

Ritsema

Amendment S—5783 lost.

Senator Doyle moved the adoption of division S—5738A and requested a record roll call.

On the question "Shall division S—5738A be adopted?" (H.F. 2487) the vote was:

Ayes, 34:

Briles	Carr	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein		

Nays, 15:

Anderson	Brown	Bruner	Coleman
Colton	Doyle	Gallagher	Kinley
Mann	Readinger	Rodgers	Slater
Small	Wells	Welsh	

Absent or not voting, 1:

Ritsema

Division S—5738A was adopted.

The Chair ruled amendment S—5787 to divisions S—5738A and S—5738C filed by Senator Mann from the floor, out of order.

With the adoption of amendment S—5774 to division S—5738F, the Chair ruled amendment S—5686 filed by Senators Holden, Gettings and Colton on March 30, 1984, to pages 5 and 6 of the bill, out of order..

With the adoption of amendment S—5779 to division S—5738F, the Chair ruled amendment S—5614 filed by Senator Jensen on March 28, 1984, to page 5 of the bill, out of order.

With the adoption of division S—5738C as amended, the Chair ruled amendment S—5790 filed by Senators Mann and Coleman from the floor to page 3 of the bill, out of order.

Senator Rodgers offered amendment S—5772 filed by Senators Rodgers, et al., on April 4, 1984, to page 6 of the bill.

Senator Coleman raised the point of order that amendment S—5772 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5772 in order.

Senator Rodgers moved the adoption of amendment S—5772 and requested a record roll call.

On the question “Shall amendment S—5772 be adopted?” (H.F. 2487) the vote was:

Ayes, 28:

Briles	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hulse	Hultman
Husak	Jensen	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Rife	Rodgers
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Wells

Nays, 21:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gallagher	Gettings	Horn	Hutchins
Junkins	Kinley	Mann	Palmer
Priebe	Readinger	Slater	Small
Welsh			

Absent or not voting, 1:

Ritsema

Amendment S—5772 was adopted.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2487) the vote was:

Ayes, 34:

Briles	Carr	Deluhery	Dieleman
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Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Rife	Rodgers	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells		

Nays, 15:

Anderson	Brown	Bruner	Coleman
Colton	Doyle	Gallagher	Horn
Kinley	Mann	Palmer	Readinger
Slater	Small	Welsh	

Absent or not voting, 1:

Ritsema

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

Senator Junkins asked and received unanimous consent that House File 2487 be immediately messaged to the House.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 111, by Junkins, Hultman, Hutchins, Jensen, Priebe and Van Gilst, a concurrent resolution relating to farm conditions.

Read first time and referred to the committee on **Rules and Administration**.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

H.F.	2508	Local Government
H.F.	2512	Ways and Means
H.F.	2515	Ways and Means
H.C.R.	117	Finance
H.C.R.	113	Rules and Administration

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

The Senate resumed session, Senator Colton presiding.

INTRODUCTION OF BILL

Senate File 2337, by Committee on Appropriations, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Read first time and placed on Appropriations Calendar.

APPENDIX

FURTHER REPORT OF COMMITTEE MEETING

APPROPRIATIONS*

*A previous report of this meeting was recorded on page 1288 of the Senate Journal.

Final Bill Action: SENATE FILE 2336 (SSB 2253), a bill for an act to require that a uniform system of program accounting be approved by the state board of public instruction and implemented by the area education agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Small, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Schwengels, Waldstein, Wells and Welsh. Nays, none. Absent or not voting, 4: Palmer, Husak, Readinger and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATE OF RECOGNITION

MR. PRESIDENT: The Secretary of the Senate respectfully reports that certificate of recognition has been issued as follows:

The residents of Fiskus, Iowa—In observance of their Centennial. Senator Hutchins. (April 5, 1984.)

REPORTS OF STANDING COMMITTEES (Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Transportation assigned to investigate the character and qualifications of Fred E. McKim, Jr., West Bend, Palo Alto County, Iowa and O.R. Woods, Palo, Linn County, Iowa, for appointment as members of the Iowa Railway Finance Authority under the provisions of Section 307B.6, 1983 Code of Iowa, for a term beginning May 1, 1984, and ending April 30, 1990, begs leave to report it has made investigation and recommends the appointments be confirmed.

COMMITTEE ON TRANSPORTATION
C. JOSEPH COLEMAN, Chair

Pursuant to Senate Rule 60, the Committee on Transportation assigned to investigate the character and qualifications of Molly A. Scott, Spencer, Clay County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Section 307.3, 1983 Code of Iowa, for a term beginning May 1, 1984, and ending April 30, 1988, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON TRANSPORTATION
C. JOSEPH COLEMAN, Chair

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 fifth day of April, 1984:

Senate Files 324, 2042, 2167, 2168 and 2175.

K. MARIE THAYER
Secretary of the Senate

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:

Hattery, John - Nevada

Charles Bruner, Chair
C. Joseph Coleman
John N. Nystrom

CHARLES BRUNER, Chair
JAMES E. BRILES
DALE L. TIEDEN
BASS VAN GILST

Committee

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5512 to House File 224 was adopted by the Senate on March 30, 1984.

EMIL J. HUSAK

STUDY BILL RECEIVED**S.S.B. 2261 Ways and Means**

An act relating to the taxation of vulcanizing, recapping, and retreading under the state sales, services, and use tax and providing retroactive effect.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES**

Convened: April 4, 1984, 8:25 a.m.

Members Present: Bruner, Chair; Slater, Vice Chair; Anderson and Taylor.

Members Absent: Waldstein, Ranking Member.

Other Committee Business: Discussion of FY '85 Human Services budget.

Adjourned: 9:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: April 4, 1984, 8:35 a.m.

Members Present: Welsh, Chair; Gettings, Vice Chair; Holt, Ranking Member; Holden and Coleman.

Members Absent: none.

Other Committee Business: Subcommittee approved and submitted LSB 4243 S70 to the full Appropriations Committee.

Adjourned: 9:10 a.m.

APPROPRIATIONS

Convened: April 5, 1984, 6:39 p.m.

Members Present: Small, Chair; Tieden, Ranking Member; Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Waldstein, Wells and Welsh.

Members Absent: Palmer, Vice Chair; Lind and Schwengels.

Final Bill Action: SENATE FILE 2337, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Small, Tieden, Bruner, Carr, Deluhery, Gentleman, Hall, Holt, Horn, Husak, Readinger, Waldstein, Wells and Welsh. Nays, 1: Dieleman. Absent or not voting, 3: Palmer, Lind and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 6:40 p.m.

FINANCE

Convened: April 5, 1984, 8:55 a.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Holden, Junkins (arrived 8:56 a.m.) Palmer, Small and Tieden.

Members Absent: none.

Final Bill Action: SENATE FILE 2333, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Rodgers, Hutchins, Hultman, Holden, Junkins, Palmer, Small and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2334, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged

persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Rodgers, Hutchins, Hultman, Holden, Junkins, Palmer, Small and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2390, a bill for an act relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Rodgers, Hutchins, Hultman, Holden, Palmer, Small and Tieden. Nays, none. Absent or not voting, 1: Junkins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2511, a bill for an act relating to and making appropriations to the auditor of state and the treasurer of state and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Rodgers, Hutchins, Hultman, Holden, Palmer, Small and Tieden. Nays, none. Absent or not voting, 1: Junkins.

Other Committee Business: Deferred action on Senate File 2331.

Adjourned: 9:05 a.m.

RULES AND ADMINISTRATION

Convened: April 5, 1984, 6:50 p.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Kinley and Hulse.

Members Absent: Hultman, Ranking Member and Anderson.

Final Bill Action: SENATE CONCURRENT RESOLUTION 111, a resolution relating to farm conditions.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Junkins, Hutchins, Kinley and Hulse. Nays, none. Absent or not voting, 2: Hultman and Anderson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 6:52 p.m.

TRANSPORTATION

Convened: April 4, 1984, 4:10 p.m.

Members Present: Coleman, Chair; A. Miller, Vice Chair; Doyle, Hall, Jensen, Lind, Priebe and Welsh.

Members Absent: Drake, Ranking Member (excused) and Nystrom.

Other Committee Business: Recommended confirmation of Governor's appointees to the En Bloc Confirmation Calendar.

Adjourned: 4:15 p.m.

FURTHER REPORT OF COMMITTEE MEETING

APPROPRIATIONS

*A previous report of this meeting was recorded on page 1321 of the Senate Journal.

Final Bill Action: SENATE FILE 2335 (SSB 2254), a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Small, Tieden, Bruner, Carr, Deluhery, Dieleman, Gentleman, Hall, Holt, Horn, Husak, Readinger, Schwengels, Waldstein, Wells and Welsh. Nays, none. Absent or not voting, 2: Palmer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Fifteen students from Clearfield High School, Clearfield, Iowa, accompanied by Diane Ware. Senator Briles.

Twenty-nine students from Bridgewater-Fontanelle Jr.-Sr. High School, Fontanelle, Iowa, accompanied by Darrell Burmeister. Senator Briles.

Nine students from Mingo Elementary School, Mingo, Iowa, accompanied Karen Bollinger. Senator Dieleman.

Eleven students from Peoria Christian School, Pella, Iowa, accompanied by Glen Stryker. Senator Dieleman.

Forty students from Clegg Park Elementary School, West Des Moines, Iowa, accompanied by Marian Perman and Mrs. True. Senator Gentleman.

Eleven students from Charles City Junior High School, Charles City, Iowa, accompanied by Rita Jensen. Senator Gratias.

Thirty-five students from Urbandale High School, Urbandale, Iowa, accompanied by Rhonda Fey. Senator Readinger.

Eight students from Aurelia High School, Aurelia, Iowa, accompanied by Duane Kent and Cindy Goodwin. Senator Vande Hoef.

The following visitors were present in the Senate gallery:

Sixteen students from Klemme Community School, Klemme, Iowa, accompanied by Mrs. Wessels. Senator Taylor.

The Chair welcomed the Honorable Cliff Burroughs, former member of the Senate from Butler County, who was present in the Senate chamber.

AMENDMENTS FILED

S—5776	S. F.	2188	House Amendment
S—5777	S. F.	2268	House Amendment

—5778	S. F.	2082	House Amendment
—5779	H.F.	2487	John W. Jensen
—5780	H.F.	2487	Wm. W. (Bill) Dieleman
—5781	H.F.	2487	Tom Mann, Jr. C. Joseph Coleman
—5782	H.F.	2487	Tom Mann, Jr. C. Joseph Coleman
—5783	H.F.	2487	Tom Mann, Jr. C. Joseph Coleman
—5784	H.F.	2487	Richard F. Drake Don E. Gettings Julia Gentleman Edgar H. Holden William D. Palmer
S—5785	H.F.	2487	Tom Mann, Jr.
S—5786	S. F.	2165	House Amendment
S—5787	H.F.	2487	Tom Mann, Jr.
S—5788	H.F.	2487	Arthur A. Small, Jr.
S—5789	H.F.	2487	Edgar H. Holden
S—5790	H.F.	2487	Tom Mann, Jr. C. Joseph Coleman
S—5791	S. F.	2334	Emil J. Husak
S—5792	H.F.	224	Emil J. Husak John W. Jensen C.W. Bill Hutchins
S—5793	H.F.	2487	Donald V. Doyle
S—5794	S. F.	2333	Bob Carr Calvin O. Hultman
S—5795	H.F.	224	Emil J. Husak John W. Jensen C.W. Bill Hutchins
S—5796	S. F.	2272	Wally E. Horn
S—5797	H.F.	2487	Richard F. Drake Wm. W. (Bill) Dieleman Edgar H. Holden Don E. Gettings
S—5798	H.F.	2487	Richard F. Drake William D. Palmer Edgar H. Holden Don E. Gettings
S—5799	H.F.	2487	Arthur A. Small, Jr.

S—5800	S. F.	2333	Bob Carr
S—5801	H.F.	2217	Wally Horn
S—5802	H.F.	2508	Donald V. Doyle
S—5803	S. F.	2333	Bob Carr
S—5804	H.F.	2487	Tom Mann, Jr.
S—5805	S. F.	2293	Lowell L. Junkins
			Calvin O. Hultman
S—5806	H.F.	2487	Donald V. Doyle
S—5807	H.F.	2487	Arthur A. Small, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 7:05 p.m. until 9:00 a.m., Friday, April 6, 1984.

JOURNAL OF THE SENATE

1353

EIGHTY-NINTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 6, 1984

The Senate met in regular session at 9:08 a.m., President Anderson presiding.

Prayer was offered by the Honorable Emil Husak, member of the Senate from Toledo, Tama County, Iowa.

The Journal of Thursday, April 5, 1984, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Palmer for the day on request of Senator Junkins.

HOUSE MESSAGES RECEIVED

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 4, 1984, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 4, a bill for an act relating to the definition of a parcel of land in relation to fees charged by county auditors for transfers made in the transfer books.

House File 2164, a bill for an act relating to the duties and responsibilities of a peace officer to a victim of domestic abuse and providing a penalty.

House File 2219, a bill for an act to provide that an eligible elector residing in a precinct may register to vote at the polling place on election day.

House File 2272, a bill for an act to authorize certain motor trucks and motor homes to tow a four-wheeled trailer with a steering axle and more than one trailer or semitrailer or both, subject to penalties provided by law.

House File 2302, a bill for an act amending the definition of "child abuse" for purposes of reporting, investigation, and rehabilitation to include permitting a child to engage in prostitution and sexually exploiting a child in certain other ways.

House File 2348, a bill for an act relating to correctional procedures by expanding the circumstances under which home work release may be granted, providing for the duty of counties to comply with state requests for temporary confinement of alleged parole or work release violators, allowing a designee of the warden or superintendent to hear appeals of hearing officers, extending the time for the board of directors of a judicial district department of correctional services to file its annual report, and providing for the penalty of contempt for violations of parole.

House File 2478, a bill for an act relating to the administration of special assessments and other property tax laws.

ALSO: That the House has on April 5, 1984, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 2062, a bill for an act providing for a moratorium on certain disconnections of gas and electricity by regulated public utilities from October 1, to April 1 for residents age sixty or over and making civil penalties applicable.

House File 2068, a bill for an requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentages which are to be charged to the stockholders.

House File 2110, a bill for an act relating to the regulation of radiation machines and radioactive materials and providing a civil penalty for violations.

House File 2334, a bill for an act relating to the definition of burglary and attempted burglary.

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2337** was referred from the Appropriations Calendar to the committee on **Finance** under Senate Rule 38.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 111.

Senate Concurrent Resolution 111

On motion of Senator Hutchins, Senate Concurrent Resolution 111, a concurrent resolution relating to farm conditions, with report of committee recommending passage, was taken up for consideration.

Senator Colton took the chair at 9:55 a.m.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 111, which motion prevailed by a voice vote.

Senator Junkins asked and received unanimous consent that Senate Concurrent Resolution 111 be immediately messaged to the House.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senate File 2333

On motion of Senator Carr, Senate File 2333, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole, with report of committee on Finance recommending passage, was taken up for consideration.

Senator Carr offered amendment S—5800 filed by him on April 5, 1984, to page 4 of the bill.

Senator Carr offered amendment S—5803 filed by him on April 5, 1984, to amendment S—5800 and moved its adoption. /

Amendment S—5803 was adopted by a voice vote.

Senator Carr moved the adoption of amendment S—5800 as amended, which motion prevailed by a voice vote.

Senator Carr offered amendment S—5794 filed by Senators Carr and Hultman on April 5, 1984, to page 8 of the bill and moved its adoption.

Amendment S—5794 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that further action on Senate File 2333 be deferred.

Senate File 2334

On motion of Senator Husak, Senate File 2334, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and providing an effective date, with report of committee on Finance recommending passage, was taken up for consideration.

Senator Gallagher offered amendment S—5808 filed by him from the floor to pages 1 and 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5808 be adopted?" (S.F. 2334) the vote was:

Ayes, 5:

Briles
Miller, C.P.

Doyle

Gallagher

Gettings

Nays, 40:

Anderson
Coleman
Gentleman
Hester
Hulse
Junkins
Miller, A.V.
Rife
Small
Van Gilst

Brown
Colton
Goodwin
Holden
Hultman
Kinley
Nystrom
Rodgers
Soorholtz
Waldstein

Bruner
Deluhery
Gratias
Holt
Husak
Lind
Priebe
Schwengels
Taylor
Wells

Carr
Dieleman
Hall
Horn
Jensen
Mann
Readinger
Slater
Tieden
Welsh

Absent or not voting, 5:

Drake
Vande Hoef

Hutchins

Palmer

Ritsema

Amendment S—5808 lost.

Senator Husak offered amendment S—5791 filed by him on April 5, 1984, to page 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5791 be adopted?" (S.F. 2334) the vote was:

Ayes, 35:

Anderson	Brown	Carr	Coleman
Colton	Doyle	Drake	Gallagher
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hulse	Husak	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Priebe	Rife	Rodgers	Schwengels
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, 12:

Briles	Bruner	Deluhery	Dieleman
Horn	Hultman	Hutchins	Junkins
Nystrom	Readinger	Small	Tieden

Absent or not voting, 3:

Palmer	Ritsema	Slater
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Amendment S—5791 was adopted.

Senator Small asked unanimous consent that further action on Senate File 2334 be deferred.

Objection was raised by Senator Husak.

Senator Husak withdrew his objection and Senate File 2334 was deferred.

HOUSE AMENDMENTS CONSIDERED

Senate File 2293

Senator Brown called up for consideration Senate File 2293, a bill for an act creating foster care review boards, creating a foster care registry, providing for rehabilitation for a child receiving

foster care and the child's family unit, amending provisions relating to a court's dispositional order, and providing a penalty, amended by the House in House amendment S—5735 filed April 2, 1984.

Senator Bruner offered amendment S—5810 filed by Senators Bruner and Gentleman from the floor to House amendment S—5735 and moved its adoption.

Amendment S—5810 was adopted by a voice vote.

Senator Gentleman offered amendment S—5811 filed by her from the floor to House amendment S—5735 and moved its adoption.

Amendment S—5811 was adopted by a voice vote.

Senator Bruner offered amendment S—5820 filed by Senators Bruner, et al., from the floor to House amendment S—5735 and moved its adoption.

Amendment S—5820 was adopted by a voice vote.

With the adoption of amendment S—5820 to House amendment S—5735, the Chair ruled the following amendments to House amendment S—5735, out of order:

S—5748 filed by Senator Gallagher on April 3, 1984.

S—5805 filed by Senators Junkins and Hultman on April 5, 1984.

Senator Bruner offered amendment S—5821 filed by him from the floor to House amendment S—5735 and moved its adoption.

Amendment S—5821 was adopted by a voice vote.

Senator Taylor asked and received unanimous consent that further action on House amendment S—5735 as amended and Senate File 2293 be deferred.

Senate File 400

Senator Deluhery called up for consideration Senate File 400, a bill for an act relating to the appointment of the director of the office of planning and programming, amended by the House, and moved that the Senate concur in House amendment S—5756 filed April 4, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, 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, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Readinger	Rife	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Palmer	Ritsema	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 2122

Senator Deluhery called up for consideration Senate File 2122, a bill for an act relating to county libraries, amended by the House, and moved that the Senate concur in House amendment S-5757 filed April 4, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2122) the vote was:

Ayes, 46:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Priebe	Readinger	Rife	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Briles	Palmer	Ritsema	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 2238

Senator Doyle called up for consideration Senate File 2238, a bill for an act making Code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties, amended by the House in House amendment S—5759 filed April 4, 1984.

Senator Doyle offered amendment S—5812 filed by him from the floor to House amendment S—5759 and moved its adoption.

Amendment S—5812 was adopted by a voice vote.

Senator Doyle moved that the Senate concur in House amendment S—5759 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Doyle moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2238) the vote was:

Ayes, 44:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Van Gilst	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Briles	Coleman	Nystrom	Palmer
Ritsma	Slater		

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

Senate File 2237

Senator Doyle called up for consideration Senate File 2237, a bill for an act relating to the appointment, terms, retention and qualifications of magistrates, amended by the House, and moved that the Senate concur in House amendment S—5758 filed April 4, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2237) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman

Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Briles	Jensen	Nystrom	Palmer
Ritsema	Rodgers	Slater	

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

Senate File 2272

Senator Horn called up for consideration Senate File 2272, a bill for an act relating to modification of orders made in proceedings for dissolution of marriage, annulment or separate maintenance, amended by the House in House amendment S—5760 filed April 4, 1984.

Senator Horn offered amendment S—5796 filed by him on April 5, 1984, to House amendment S—5760 and moved its adoption.

Amendment S—5796 as adopted by a voice vote.

Senator Horn moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Horn moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2272) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Priebe
Readinger	Rife	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Briles	Nystrom	Palmer	Ritsema
Rodgers	Schwengels	Slater	

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

Senate File 2273

• Senator Doyle called up for consideration Senate File 2273, a bill for an act to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic, amended by the House, and moved that the Senate concur in House amendment S—5761 filed April 4, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2273) the vote was:

Ayes, 42:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle

Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Priebe	Readinger	Rife
Schwengels	Small	Scorholts	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Briles	DeLuhery	Lind	Nystrom
Palmer	Ritsema	Rodgers	Slater

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

Senate File 2082

Senator Drake called up for consideration Senate File 2082, a bill for an act relating to the confidentiality of Iowa department of corrections records and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5778 filed April 5, 1984.

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 and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2082) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	DeLuhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, C.P.	Priebe	Readinger

Rife
Taylor
Waldstein

Schwengels
Tieden
Wells

Small
Vande Hoef
Welsh

Soorholtz
Van Gilt

Nays, none.

Absent or not voting, 7:

Briles
Ritsema

Miller, A.V.
Rodgers

Nystrom
Slater

Palmer

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

BUSINESS PENDING

Senate File 2333

The Senate resumed consideration of Senate File 2333, previously deferred.

Senator Priebe offered amendment S—5822 filed by Senators Priebe, et al., from the floor to page 10 of the bill and moved its adoption.

Amendment S—5822 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that further action on Senate File 2333 be deferred.

President Anderson took the chair at 12:28 p.m.

HOUSE AMENDMENTS CONSIDERED

Senate File 2188

Senator Doyle called up for consideration Senate File 2188, a bill for an act relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale, amended by the House, and moved that the Senate concur in House amendment S—5776 filed April 5, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2188) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Priebe	Readinger
Rife	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Briles	Lind	Nystrom	Palmer
Ritsema	Rodgers	Slater	

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

Senate File 2268

Senator Mann called up for consideration Senate File 2268, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5777 filed April 5, 1984.

A non record roll call was requested.

The ayes were 20, nays 23.

The motion lost and the Senate refused to concur in the House amendment.

BILL REFERRED TO COMMITTEE

President Anderson announced that Senate File 2335 was referred from the Appropriations Calendar to the committee on Finance under Senate Rule 38.

UNFINISHED BUSINESS
(Deferred March 30, 1984)**House File 224**

The Senate resumed consideration of House File 224, a bill for an act relating to the listing of dogs and collection of license fees by the assessor, deferred March 30, 1984.

Senator Husak called up the motion to reconsider the vote by which amendment S—5512 to House File 224 was adopted by the Senate on March 30, 1984, filed by him on April 5, 1984, found on page 1346 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5512 by Senator Brown on March 26, 1984, to the title page of the bill, was taken up for reconsideration.

Senator Husak asked and received unanimous consent that further action on amendment S—5512 be deferred.

Senator Husak offered amendment S—5792 filed by Senators Husak, Jensen and Hutchins on April 5, 1984, to strike everything after the enacting clause of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5792 be adopted?" (H.F. 224) the vote was:

Ayes, 22:

Anderson
Colton
Hester
Jensen
Priebe
Van Gilst

Brown
Dieleman
Horn
Junkins
Schwengels
Welsh

Bruner
Gentleman
Husak
Mann
Soorholtz

Carr
Gettings
Hutchins
Miller, C.P.
Taylor

Nays, 19:

Coleman	Deluhery	Drake	Gallagher
Goodwin	Gratias	Hall	Holden
Holt	Hulse	Hultman	Kinley
Miller, A.V.	Readinger	Rife	Tieden
Vande Hoef	Waldstein	Wells	

Voting present, 1:

Doyle

Absent or not voting, 8:

Briles	Lind	Nystrom	Palmer
Ritsema	Rodgers	Slater	Small

Amendment S—5792 was adopted.

The Senate resumed consideration of amendment S—5512, previously deferred.

Senator Husak offered amendment S—5795 filed by Senators Husak, Jensen and Hutchins on April 5, 1984, to amendment S—5512 and moved its adoption.

Amendment S—5795 was adopted by a voice vote.

Senator Brown moved the adoption of amendment S—5512 as amended, which motion prevailed by a voice vote.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 224) the vote was:

Ayes, 40:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gallagher	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, C.P.	Nystrom
Priebe	Readinger	Rife	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Van Gilst	Waldstein	Welsh

Nays, 3:

Dieleman

Miller, A.V.

Wells

Absent or not voting, 7:

Briles

Hutchins

Lind

Palmer

Ritsema

Rodgers

Slater

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 2333

The Senate resumed consideration of Senate File 2333, previously deferred.

Senator Mann offered amendment S—5825 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—5825 was adopted by a voice vote.

Senator Holden asked and received unanimous consent that further action on Senate File 2333 be deferred.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 2336.

Senate File 2336

On motion of Senator Small, Senate File 2336, a bill for an act to require that a uniform system of program accounting be approved by the state board of public instruction and implemented by the area education agencies, was taken up for consideration.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2336) the vote was:

Ayes, 43:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dehery	Dieleman
Doyle	Drake	Gallagher	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hulse	Hultman	Husak	Jensen
Junkins	Kinley	Mann	Miller, A. V.
Miller, C. P.	Nystrom	Priebe	Readinger
Rife	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Briles	Hutchins	Lind	Palmer
Ritsema	Rodgers	Slater	

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

House File 2390

On motion of Senator Holt, House File 2390, a bill for an act relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws, with report of committee on Finance recommending passage, was taken up for consideration.

Senator Holt moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2390) the vote was:

Ayes, 38:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Dehery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Jensen	Kinley	Mann
Miller, A. V.	Miller, C. P.	Nystrom	Priebe
Readinger	Rife	Schwengels	Small
Soorholtz	Taylor	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Briles	Gallagher	Hall	Hutchins
Junkins	Lind	Palmer	Ritsema
Rodgers	Slater	Tieden	Vande Hoef

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

House File 2511

On motion of Senator Wells, House File 2511, a bill for an act relating to and making appropriations to the auditor of state and the treasurer of state and providing an effective date, with report of committee on Finance recommending passage, was taken up for consideration.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2511) the vote was:

Ayes, 42:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Delehery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Briles	Gallagher	Hutchins	Lind
Palmer	Ritsema	Rodgers	Slater

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 540

Senator Colton called up for consideration House File 540, a bill for an act relating to chapter 91A, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5764 to Senate amendment H—5912 filed April 4, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Colton moved that the bill as amended by the Senate, further amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 540) the vote was:

Ayes, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	DeLuery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hulse
Hultman	Husak	Jensen	Junkins
Kinley	Mann	Miller, C.P.	Nystrom
Priebe	Readinger	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Van Gilst
Waldstein	Wells	Welsh	

Nays, none.

Voting present, 1:

Tieden

Absent or not voting, 10:

Briles	Gallagher	Hutchins	Lind
Miller, A.V.	Palmer	Rife	Ritsema
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 March 30, 1984)

House File 2354

The Senate resumed consideration of House File 2354, a bill for an act relating to the purchase of equipment and supplies by the board of trustees of a county public hospital, deferred March 30, 1984.

Senator Junkins asked and received unanimous consent that further action on House File 2354 be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 2165

Senator Slater called up for consideration Senate File 2165, a bill for an act to provide for the development of a proposal to reduce upper-level management positions in certain state agencies, amended by the House, and moved that the Senate concur in House amendment S—5786 filed April 5, 1984.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

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 March 29, 1984, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2306, a bill for an act authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data (S—5819).

ALSO: That the House has on April 3, 1984, amended the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties (S—5816).

ALSO: That the House has on April 4, 1984, amended the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 523, a bill for an act to provide for reciprocity among the states on the license fee for fur buyers (S—5813).

House File 2172, a bill for an act relating to the surety bond required for an employment agency license (S—5814).

House File 2389, a bill for an act relating to the interest of an elected city officer or employee in contracts for the purchase of goods and services by a city (S—5815).

House File 2440, a bill for an act relating to the Iowa veterans home and its administration (S—5817).

House File 2471, a bill for an act creating a hazardous waste remedial fund and providing for the cleanup of hazardous conditions and the management and cleanup of abandoned or uncontrolled hazardous waste disposal sites. (S—5818).

ALSO: That the House has on April 4, 1984, passed the following bills in which the concurrence of the Senate is asked:

House File 2481, a bill for an act relating to the taxation, valuation, and qualification of a fruit-tree or forest reservation for property tax purposes.

This bill was read first time and passed on file.

House File 2516, a bill for an act to provide funding for the removal or encapsulation of asbestos by school districts.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 6, 1984, amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 111, a concurrent resolution relating to farm conditions (S—5829).

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

The Senate resumed session, Senator Husak presiding.

QUORUM CALL

Senator Hultman requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 111

Senator Hutchins called up for immediate consideration Senate Concurrent Resolution 111, a concurrent resolution relating to farm conditions, amended by the House and moved that the Senate concur in House amendment S—5829 filed April 6, 1984.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hutchins moved that the resolution as amended by the House and concurred in by the Senate be adopted.

The resolution as amended was adopted by voice vote.

MOTION TO RECONSIDER LOST

Senate Concurrent Resolution 111

Senator Junkins filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate Concurrent Resolution 111 was adopted by the Senate on April 6, 1984.

The motion lost by a voice vote.

Senator Carr took the chair at 1:53 p.m.

BUSINESS PENDING

Senate File 2334

The Senate resumed consideration of Senate File 2334, previously deferred.

Senator Small offered amendment S—5827 filed by him from the floor to pages 6, 15 and the title page of the bill and called for a division: lines 2 through 16 as division S—5827A and lines 17 through 49 as division S—5827B.

Action on division S—5827A was deferred.

Senator Small moved the adoption of division S—5827B.

A record roll call was requested.

On the question "Shall division S—5827B be adopted?" (S.F. 2334) the vote was:

Ayes, 26:

Anderson	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Goodwin	Gratias	Hall
Horn	Hulse	Hultman	Hutchins
Junkins	Mann	Nystrom	Readinger
Rife	Rodgers	Small	Taylor
Tieden	Wells		

Nays, 14:

Coleman	Gentleman	Gettings	Hester
Holden	Holt	Husak	Lind
Miller, A.V.	Priebe	Schwengels	Soorholts
Vande Hoef	Waldstein		

Absent or not voting, 10:

Briles	Gallagher	Jensen	Kinley
Miller, C.P.	Palmer	Ritsema	Slater
Van Gilst	Welsh		

Division S—5827B was adopted.

Senator Small moved the adoption of division S—5827A, previously deferred.

A record roll call was requested.

On the question "Shall division S—5827A be adopted?" (S.F. 2334) the vote was:

Ayes, 27:

Anderson	Brown	Bruner	Carr
Colton	Dehery	Dieleman	Doyle
Drake	Goodwin	Gratias	Hall
Horn	Hultman	Hutchins	Junkins
Mann	Nystrom	Readinger	Rife
Rodgers	Small	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Nays, 14:

Coleman	Gentleman	Gettings	Hester
Holden	Holt	Hulse	Husak
Lind	Miller, A.V.	Priebe	Schwengels
Taylor	Vande Hoef		

Absent or not voting, 9:

Briles	Gallagher	Jensen	Kinley
Miller, C.P.	Palmer	Ritsema	Slater
Van Gilst			

Division S—5827A was adopted.

President Anderson took the chair at 2:40 p.m.

Senator Junkins asked and received unanimous consent that further action on Senate File 2334 be deferred.

BUSINESS PENDING

Senate File 2333

The Senate resumed consideration of Senate File 2333, previously deferred.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2333) the vote was:

Ayes, 41:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Hultman
Husak	Hutchins	Junkins	Lind
Mann	Miller, A.V.	Nystrom	Priebe
Readinger	Rife	Rodgers	Schwengels
Slater	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Briles	Gallagher	Goodwin	Jensen
Kinley	Miller, C.P.	Palmer	Ritsema
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

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2333 passed the Senate on April 6, 1984.

EDGAR H. HOLDEN

BUSINESS PENDING

Senate File 2293

The Senate resumed consideration of Senate File 2293 and House amendment S—5735 as amended, previously deferred.

Senator Bruner moved that the Senate concur in House amendment S—5735 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Bruner moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2293) the vote was:

Ayes, 39:

Anderson	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gratias	Hall	Hester	Holden
Holt	Horn	Hulse	Husak
Hutchins	Junkins	Lind	Miller, A.V.
Nystrom	Priebe	Readinger	Rife
Rodgers	Schwengels	Slater	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Mann

Absent or not voting, 10:

Briles	Gallagher	Goodwin	Hultman
Jensen	Kinley	Miller, C.P.	Palmer
Ritsema	Van Gilst		

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

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****SENATE FILE 2331**

Finance
Palmer, Chair
Small
Holden

SENATE RESOLUTION 108

Rules & Administration
Hutchins, Chair
Hultman
Jenkins

HOUSE FILE 2511

Appropriations
Wells, Chair
Tieden
Small

SENATE FILE 2332

Finance
Rodgers, Chair
Hutchins
Tieden

**SENATE CONCURRENT
RESOLUTION 109**

Rules & Administration
Hutchins, Chair
Hultman
Jenkins

SSB 2253

Appropriations
Small, Chair
Tieden
Palmer

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate:

IOWA COMMISSION FOR THE BLIND

On April 6, 1984, received a copy of the Annual Report of the Commission for the Blind for the fiscal year which ended June 30, 1984, pursuant to Chapter 601B of the Code of Iowa.

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 sixth day of April, 1984:

Senate Files 497, 2021, 2119, 2137, 2154, 2176, 2197, 2222, 2285 and 2297.

K. MARIE THAYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2272 passed the Senate on April 6, 1984.

JAMES V. GALLAGHER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—5777 to Senate File 2268 on April 6, 1984.

HURLEY W. HALL

REPORTS OF STANDING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the character and qualifications of Wesley S. Chapman, Des Moines, Polk County, Iowa, and Karen K. Goodenow, Wall Lake, Sac County, Iowa, for appointment as members of the State Board of Public Instruction under provisions of Section 257.1, Code of Iowa, for six-year terms beginning May 1, 1984, and ending April 30, 1990, begs leave to report it has made investigation and recommends the appointments be confirmed.

COMMITTEE ON EDUCATION
JOE BROWN, Chair

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the character and qualifications of Irving R. Burling, Waverly, Bremer County, Iowa, for appointment as a member of the Iowa Higher Education Loan Authority under the provisions of Section 261A.6, Code of Iowa, for a six-year term beginning May 1, 1984, and ending April 30, 1990, begs leave to report it has made investigation and recommends the appointment be confirmed.

COMMITTEE ON EDUCATION
JOE BROWN, Chair

REPORT OF COMMITTEE MEETING**FINANCE**

Convened: April 6, 1984, 1:30 p.m.

Members Present: Rodgers, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Junkins, Small, Tieden and Holden.

Members Absent: Palmer (excused).

Final Bill Action: SENATE FILE 2335, a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Rodgers, Hultman, Hutchins, Junkins, Small, Tieden and Holden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2337, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5830.

Final Vote: Ayes, 7: Rodgers, Hutchins, Hultman, Junkins, Small, Tieden and Holden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:44 p.m.

PRESENTATION OF VISITORS

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

Forty students from Pella Christian Grade School, Pella, Iowa, accompanied by Larry Vander Leest. Senator Dieleman.

Thirty students from Stanton High School, Stanton, Iowa, accompanied by Ruth Stone. Senator Hultman.

Thirteen students from Ocehydean Christian School, Ocehydean, Iowa, accompanied by Duane Starkenburg. Senator Vande Hoef.

Sixty-five students from Lacona Elementary School, Lacona, Iowa, accompanied by Pat Butler. Senator Van Gilst.

Eleven students from Fort Dodge Senior High School, Fort Dodge, Iowa, accompanied by Gary Carr. Senator Coleman.

Twenty-six students from Allison Elementary School, Allison, Iowa, accompanied by Mr. Randall, Mrs. Wix and Mrs. Van Raden. Senator Jensen.

AMENDMENTS FILED

S-5808	S. F.	2334	James V. Gallagher
S-5809	S. F.	2331	James V. Gallagher
S-5810	S. F.	2293	Charles Bruner Julia Gentleman
S-5811	S. F.	2293	Julia Gentleman
S-5812	S. F.	2283	Donald V. Doyle
S-5813	H. F.	523	House Amendment
S-5814	H. F.	2172	House Amendment
S-5815	H. F.	2389	House Amendment
S-5816	H. F.	2439	House Amendment
S-5817	H. F.	2440	House Amendment
S-5818	H. F.	2471	House Amendment
S-5819	S. F.	2306	House Amendment
S-5820	S. F.	2293	Charles Bruner Richard Vande Hoef Tom Mann, Jr. Julia Gentleman Berl E. Priebe James V. Gallagher
S-5821	S. F.	2293	Charles Bruner
S-5822	S. F.	2333	Berl E. Priebe Richard Vande Hoef Edgar H. Holden Donald V. Doyle
S-5823	S. F.	2337	Edgar H. Holden
S-5824	S. F.	2337	James V. Gallagher
S-5825	S. F.	2333	Tom Mann, Jr.

S—5826	S. F.	2337	Richard F. Drake
S—5827	S. F.	2334	Arthur A. Small, Jr.
S—5828	S. F.	2337	Richard F. Drake
			Joe J. Welsh
S—5829	S. C. R.	111	House Amendment
S—5830	S. F.	2337	Finance Committee

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 2:49 p.m., until 10:00 a.m., Monday, April 9, 1984.