

State of Iowa

1985

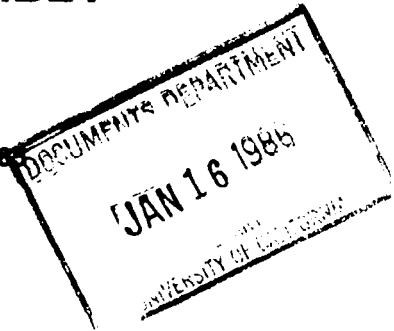
JOURNAL OF THE SENATE

1985

REGULAR SESSION SEVENTY-FIRST GENERAL ASSEMBLY

Convened January 14, 1985
Adjourned May 4, 1985

Volume I
January 14 - April 18



ROBERT T. ANDERSON, President of the Senate
DONALD D. AVENSON, Speaker of the House

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Des Moines

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CAROLE ("C.J.") Kelly, <i>Journal Editor</i>	Altoona
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JANA ZINSER, <i>Administrative Assistant to Majority Leader</i>	Des Moines
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OFFICERS OF THE SENATE—1985 REGULAR SESSION—Continued iii

PETER J. CONIGLIO, <i>Minority Caucus Staff Director</i>	Ames
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SCOTT BEATTIE, <i>Assistant Bill Clerk</i>	Runnells
JAMES E. BRILES, <i>Sergeant-at-Arms</i>	Corning
JACK LEVINE, <i>Assistant Sergeant-at-Arms</i>	Des Moines

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STEVE NORDER, <i>Assistant Sergeant-at-Arms</i>	Pleasantville
RAY J. PROSPERI, <i>Chief Doorkeeper</i>	Des Moines
CATHERINE L. DeHECK, <i>Doorkeeper</i>	Des Moines
ROBERT DOYLE, <i>Doorkeeper</i>	Des Moines
DOMENIC MORROW, <i>Doorkeeper</i>	Des Moines
FRANK J. MURPHY, <i>Doorkeeper</i>	Des Moines
ROY W. NELSON, <i>Doorkeeper</i>	Des Moines
E.A. SAMUELSON, <i>Doorkeeper</i>	Des Moines
BETTY LAWLER, <i>Switchboard Operator</i>	Des Moines
FREDDA WRIGHT, <i>Switchboard Operator</i>	Ankeny
DINO MASOLINI, <i>Postmaster</i>	Des Moines
JAMES M. SULLIVAN, <i>Porter</i>	Des Moines

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

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ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i>	Lake Mills
ROBERT T. ANDERSON, <i>Lieutenant Governor</i>	Newton
MARY JANE ODELL, <i>Secretary of State</i>	Des Moines
RICHARD D. JOHNSON, <i>Auditor of State</i>	Sheldahl
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Des Moines
ROBERT H. LOUNSBERRY, <i>Secretary of Agriculture</i>	McCallsburg
TOM MILLER, <i>Attorney General</i>	McGregor

JUSTICES OF THE IOWA SUPREME COURT

W.W. REYNOLDSON, <i>Chief Justice</i>	Osceola
JAMES H. CARTER, <i>Justice</i>	Cedar Rapids
K. DAVID HARRIS, <i>Justice</i>	Jefferson
J.L. LARSON, <i>Justice</i>	Harlan
MARK McCORMICK, <i>Justice</i>	Des Moines
ARTHUR A. McGIVERIN, <i>Justice</i>	Ottumwa
LOUIS SCHULTZ, <i>Justice</i>	Iowa City
HARVEY UHLENHOPP, <i>Justice</i>	Hampton
CHARLES WOLLE, <i>Justice</i>	Sioux City

IOWA COURT OF APPEALS JUDGES

LEO OXBERGER, <i>Chief Judge</i>	Des Moines
ALLEN L. DONIELSON, <i>Judge</i>	West Des Moines
MAYNARD J.V. HAYDEN, <i>Judge</i>	Indianola
ROSEMARY S. SACKETT, <i>Judge</i>	Spencer
DICK SCHLEGAL, <i>Judge</i>	Ottumwa
BRUCE M. SNELL, JR. <i>Judge</i>	Ida Grove

**MEMBERS OF THE SENATE
SEVENTY-FIRST GENERAL ASSEMBLY
1985 REGULAR SESSION**

LEONARD L. BOSWELL

Address Davis City
Age 51
Occupation Farmer
Senatorial District 46—Decatur, Adair, Adams, Cass, Clarke, Ringgold, Taylor, Union
Former Legislative Service none

JOE BROWN

Address Montezuma
Age 38
Occupation Public Sector Analyst
Senatorial District 27—Poweshiek, Iowa, Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70

CHARLES BRUNER

Address Ames
Age 36
Occupation Legislator
Senatorial District 37—Story
Former Legislative Service 68, 69, 69X, 69XX, 70

BOB CARR

Address Dubuque
Age 46
Occupation Securities Broker
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

C. JOSEPH COLEMAN

Address Clare
Age 61
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

MILO COLTON

Address Sioux City
Age 41
Occupation Educator
Senatorial District 1—Woodbury
Former Legislative Service 70

JOY CORNING

Address Cedar Falls
Age 52
Occupation Homemaker
Senatorial District 12—Black Hawk
Former Legislative Service none

MEMBERS OF THE SENATE—71ST GENERAL ASSEMBLY
1985 REGULAR SESSION—Continued

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PATRICK J. DELUHERY

Address Davenport
Age 42
Occupation College Teacher
Senatorial District 21—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70

WM. W. (BILL) DIELEMAN

Address Pella
Age 53
Occupation Life Insurance Underwriter
Senatorial District 35—Marion, Jasper, Polk, Warren
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70

DONALD V. DOYLE

Address Sioux City
Age 59
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

RICHARD F. DRAKE

Address Muscatine
Age 57
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

JULIA B. GENTLEMAN

Address Des Moines
Age 53
Occupation Housewife
Senatorial District 41—Polk
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70

DONALD E. GETTINGS

Address Ottumwa
Age 61
Occupation Retired—Deere & Co.
Senatorial District 33—Wapello, Appanoose, Davis
Former Legislative Service 67 (2nd), 67X, 68, 69, 69X, 69XX, 70

NORMAN J. GOODWIN

Address DeWitt
Age 71
Occupation Retired County Extension Director
Senatorial District 19—Clinton, Cedar
Former Legislative Service 68, 69, 69X, 69XX, 70

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ARTHUR L. GRATIAS

Address Nora Springs
Age 64
Occupation Farmer, Educator
Senatorial District 15—Floyd, Cerro Gordo, Chickasaw, Howard, Mitchell
Former Legislative Service 68, 69, 69X, 69XX, 70

MICHAEL E. GRONSTAL

Address Council Bluffs
Age 34
Occupation Shipping Clerk
Senatorial District 50—Pottawattamie
Former Legislative Service 70

HURLEY W. HALL

Address Marion
Age 49
Occupation Telephone Engineer
Senatorial District 24—Linn, Buchanan, Delaware
Former Legislative Service 68, 69, 69X, 69XX, 70

BEVERLY A. HANNON

Address Anamosa
Age 62
Occupation Homemaker/Student
Senatorial District 22—Jones, Cedar, Linn
Former Legislative Service none

JACK W. HESTER

Address Honey Creek
Age 55
Occupation Farmer
Senatorial District 49—Pottawattamie, Cass, Harrison, Shelby
Former Legislative Service 68, 69, 69X, 69XX, 70

EDGAR H. HOLDEN

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

LEE W. HOLT

Address Spencer
Age 75
Occupation Automobile Dealer
Senatorial District 6—Clay, Dickinson, Emmett, Palo Alto
Former Legislative Service 68, 69, 69X, 69XX, 70

**MEMBERS OF THE SENATE—71ST GENERAL ASSEMBLY
1985 REGULAR SESSION—Continued**

WALLY E. HORN

Address Cedar Rapids
 Age 51
 Occupation Teacher
 Senatorial District 25—Linn
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

CALVIN O. HULTMAN

Address Red Oak
 Age 43
 Occupation Businessman
 Senatorial District 47—Montgomery, Fremont, Mills, Page, Pottawattamie
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

EMIL J. HUSAK

Address Toledo
 Age 54
 Occupation Farmer
 Senatorial District 38—Tama, Benton, Black Hawk, Marshall
 Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

C.W. BILL HUTCHINS

Address Guthrie Center
 Age 53
 Occupation Businessman
 Senatorial District 48—Audubon, Carroll, Crawford, Shelby
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

JOHN W. JENSEN

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

LOWELL L. JUNKINS

Address Montrose
 Age 40
 Occupation Small Businessman/Farmer
 Senatorial District 31—Lee, Des Moines, Van Buren
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

GEORGE R. KINLEY

Address Des Moines
 Age 47
 Occupation Owner—Driving Range and Golf Sales
 Senatorial District 40—Polk
 Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

**MEMBERS OF THE SENATE—71ST GENERAL ASSEMBLY
1985 REGULAR SESSION—Continued**

THOMAS A. LIND

Address Cedar Rapids
 Age 66
 Occupation Businessman
 Senatorial District 13—Black Hawk
 Former Legislative Service 67 (2nd), 68, 69, 69X, 69XX, 70

TOM MANN, JR.

Address Des Moines
 Age 35
 Occupation Attorney
 Senatorial District 48—Polk
 Former Legislative Service 70

ALVIN V. MILLER

Address Ventura
 Age 63
 Occupation Insurance Agency-Retail Merchant
 Senatorial District 10—Cerro Gordo, Winnebago, Worth
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

CHARLES P. MILLER

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

LARRY MURPHY

Address Oelwein
 Age 32
 Occupation Free-lance Writer
 Senatorial District 14—Fayette, Black Hawk, Buchanan, Chickasaw
 Former Legislative Service none

JOHN A. NEIGHBOUR

Address Chariton
 Age 65
 Occupation Farmer
 Senatorial District 34—Lucas, Clarke, Monroe, Warren, Wayne
 Former Legislative Service none

JOHN N. NYSTROM

Address Boone
 Age 51
 Senatorial District 44—Boone, Carroll, Greene, Story
 Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

MEMBERS OF THE SENATE—71ST GENERAL ASSEMBLY
1985 REGULAR SESSION—Continued

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WILLIAM D. PALMER

Address Des Moines
Age 50
Occupation Insurance Executive
Senatorial District 39—Polk
Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

BERL E. PRIEBE

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

DAVID M. READINGER

Address Des Moines
Age 48
Occupation Sales
Senatorial District 42—Polk
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

JACK RIFE

Address Moscow
Age 41
Occupation Farmer
Senatorial District 29—Muscatine, Scott
Former Legislative Service 70

DOUGLAS RITSEMA

Address Orange City
Age 82
Occupation Lawyer
Senatorial District 8—Sioux, Plymouth, Woodbury
Former Legislative Service 68, 69, 69X, 69XX, 70

NORMAN RODGERS

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

FORREST V. SCHWENGELS

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

**MEMBERS OF THE SENATE—71ST GENERAL ASSEMBLY
1985 REGULAR SESSION—Continued**

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ARTHUR A. SMALL, JR.

Address Iowa City
 Age 51
 Occupation Attorney
 Senatorial District 23—Johnson
 Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69XX, 70

JOHN SOORHOLTZ

Address Melbourne
 Age 55
 Occupation Farmer/Pork Producer
 Senatorial District 36—Marshall, Jasper
 Former Legislative Service 70 (2nd)

RAY TAYLOR

Address Steamboat Rock
 Age 61
 Occupation Farmer, Business
 Senatorial District 9—Hardin, Franklin, Hamilton, Hancock, Wright
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

DALE L. TIEDEN

Address Elkader
 Age 62
 Occupation Retired
 Senatorial District 16—Clayton, Allamakee, Winneshiek
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70

RICHARD VANDE HOEF

Address Harris
 Age 69
 Occupation Farmer
 Senatorial District 4—Osceola, Cherokee, Clay, Lyon, O'Brien, Sioux
 Former Legislative Service 69, 69X, 69XX, 70

ARNE WALDSTEIN

Address Alta
 Age 69
 Occupation Professional Farm Management and Rural Appraiser
 Senatorial District 5—Buena Vista, Calhoun, Pocahontas, Sac, Webster
 Former Legislative Service 68, 69, 69X, 69XX, 70

JAMES D. WELLS

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

**MEMBERS OF THE SENATE—71ST GENERAL ASSEMBLY
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JOE J. WELSH

Address Dubuque
Age 29
Occupation Businessman
Senatorial District 17—Dubuque, Jackson, Jones
Former Legislative Service 68, 69, 69X, 69XX, 70



JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 14, 1985

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1985 Regular Session of the Seventy-first General Assembly convened at 10:04 a.m., and the Senate was called to order by Lieutenant Governor Robert T. Anderson.

Prayer was offered by Bishop L. David Brown, Bishop of the Iowa District of the American Lutheran Church, Des Moines, Iowa.

OPENING REMARKS BY THE LIEUTENANT GOVERNOR

Lieutenant Governor Anderson addressed the Senate as follows:

I want to take this opportunity to welcome you to the Senate and the Seventy-first General Assembly. I particularly want to welcome six new members. Senators-elect Corning and Hannon have tripled the number of women in the Senate. You and Senators-elect Boswell, Gronstal, Murphy and Neighbour provide a wealth of experience in state and local government. I also want to welcome to the well Mary Kennedy and Jean Cook. They and our new parliamentarian, Marilyn Mueller, look forward to serving you.

Legislators know that 1985 will be a very difficult year for thousands of Iowans. Yet within these chambers there will be moments of laughter and anger and sadness. We ask the public, the press and our colleagues for understanding.

As we address the crisis of the moment, we must be careful not to create deeper problems for our future. We must understand there are no quick fixes and no simple solutions to the economic emergency facing agriculture and the problems of Iowa.

While parts of our state experience economic growth, near depression conditions in agriculture are real. Since 1980 farm land values have dropped more than fifty per cent. Average farm income in 1983 was a loss of \$1900. We can expect ten to fifteen thousand family farmers to lose their land this year affecting 60,000

Iowans directly. Tom Huston, Superintendent of Banking, has said that one third of the banks examined this year have varying degrees of problems with the bank failure rate likely to triple in 1985. He projects that Iowa's best land may sell for \$1000 an acre and the entire farm credit system is at risk.

Impact of the state budget is dramatic. When the need for human services is up, Iowa has the least ability to fund them. While the opportunity for educational excellence is greatest, teachers' salaries drop further behind the national average. It is ironic that in 1984 hundreds of farmers applied for food stamps and hundreds of teachers couldn't afford to send their own children to college. It is easy to label these problems, "made in Washington", but they cannot be ignored by Iowans. While we unite to lobby Washington, we must also work together to help ourselves. My ten years in the classroom taught me that "None of us is as smart as all of Us." We increase ideas and commitment as we work together. Iowans understand that neither political party has all the answers and that government cannot solve problems by itself. An Iowa Partnership for Progress was the centerpiece of the Future Growth Committee. When I spoke to you a year ago I called for such an effort. Governor Branstad should initiate that partnership immediately.

We must lead in creating a strategy for rural development. We must invest in education and agricultural research. We must diversify Iowa's economy with continued emphasis on small business. And our limited fiscal resources must be targeted where government makes the best investments.

Finally, the focus of this legislature and an Iowa Partnership must be toward building consensus. We should Begin Where We Agree. We sometimes get so involved in arguing over different solutions that we fail to act where we agree. There is hope in 1985 because we have the capacity to find agreement and to Act.

REMARKS BY THE MAJORITY LEADER

Senator Junkins addressed the Senate as follows:

Mr. President, fellow Senators, and fellow Iowans: It is an honor and a pleasure for me to have the opportunity to address all of you today as majority leader and welcome all of you to the Senate for the Seventy-first General Assembly.

Tradition calls for me to make some remarks today. Let me depart from that particular tradition today, and say instead that while we have many challenges to meet this year, I believe we will meet them in a more positive and constructive manner, and with a somewhat shorter legislative session than we have previously had in the first session of a new General Assembly. While I know we will have sincere differences of opinion and difficult moments from time to time, I sincerely believe the members of this Senate have the expertise, desire to produce positive results for Iowa, and agreement on common goals (if not always methods) to work well together in the session ahead. Additionally, we have an asset in our staff people for the session, who are the best qualified and most experience we have

ever had. I feel honored to serve as majority leader of this group, and look forward to working with each of you, Democrats and Republicans alike, for a better Iowa. My door is open to each of you at all times.

There is another tradition of opening day I do wish to follow today, which is to give some indication to the Senate, and the citizens of Iowa, what the priorities of the Democratic majority in the Senate will be in this session. This list of priorities is one that may be familiar to many of you—for it contains the ideas Iowans themselves told us during the 1984 campaign they felt were most important. Our Democratic caucus, and I believe the Senate as a whole, will take justifiable pride in their accomplishments at the end of this session if we will carry out Iowans desires in the following six areas.

1. Take action to bring more jobs and economic growth to Iowa. We have a window of opportunity that will last only a few years. We should adopt a comprehensive economic development plan for our state, including expanding our export markets. We can begin our discussions with the Iowa Plan/Lottery, and go from there. Once we consider the choices and put together a package we can begin to implement some sorely needed economic development activities for Iowa.

2. Take action to improve the quality of education in Iowa. The Excellence in Education Task Force has identified many sound ideas for improving Iowa education, and we should seriously consider them all - and enact laws to implement many. Let's do it for the Kids.

3. Take action to protect Iowans—particularly young Iowans—from crime. We have only to read our daily papers to know more can be done to protect potential crime victims and aid those who are victimized. This should be an area of continuing effort in the 1985-86 legislature.

4. Take action to keep Iowa's family farmers going. This is a national problem, and we must keep working with our federal officials on debt restructuring ideas, the contents of the new farm bill, etc. Meanwhile, however, we should do what we can here by exploring all our options, specifically including, but not limited to, strengthening farm management and counseling programs, beginning farmer loan programs, crop research and ag marketing efforts. I believe the legislature should by resolution recognize Iowa economics health for what it is and declare a state of emergency.

5. Take action to keep health care costs under control and local health care available. The health care system in Iowa is undergoing revolutionary changes in the 80's. As the results of these changes become clearer, we will need to make sure increased costs are held to a minimum and fairly apportioned - for the sake of both the consumers and the continuence of local hospitals themselves.

6. Take action to approve ANOTHER balanced state budget. As was often said in the 1984 campaign, we legislators appropriated LESS spending than the Governor requested and approved LESS new taxes than requested in the Seventieth General Assembly. And, while the state treasury still is not by any means in as good a shape as any of us would like, but we Senators should again fulfill our

Constitutional mandate and our obligation to Iowans by passing another balanced state budget for the fiscal year beginning July 1, 1985.

We will, of course, discuss, debate, and define many other issues during the upcoming session and it is my belief that entering into these discussions with respect for one another's viewpoints, and keeping the interest of Iowans at heart, we will be able to work out productive solutions to the issues we face.

As the great American poet Robert Frost wrote, "We have promises to keep and miles to go before we sleep"—we have much to accomplish in these next 110 days—but I know we can do the job. Together let's begin to write the prescription for progress in Iowa.

Thank you.

REMARKS BY THE MINORITY LEADER

Senator Hultman addressed the Senate as follows:

MR. PRESIDENT, LADIES AND GENTLEMAN OF THE SENATE:

This will be the most challenging session that most of us will see for a number of reasons, but the most apparent are the state of our economy, agriculture, industry and what's happening to Iowa's main street businesses.

In agriculture, we know land sales, interest rates, corn prices, and the strong dollar overseas are the major causes of the problems many farmers throughout the state are now being faced with. But rather than wringing our hands and saying it is not a state problem, I request that the Commerce and Agriculture Committees hold joint meetings immediately to hear from farmers, farm organizations, and lending institutions, both private and those from the federal government, to see what we can do on the state level. Then we must have the courage to do it. We must ask ourselves "Are we sure we have done all we can do on the state level?" We should answer this question as quickly as possible.

We must also take action soon to stimulate economic development in Iowa. Democrats, Republicans, the House, the Senate, and the Governor must work together with industry and labor to come to a consensus and develop a plan for both a short and long range development of jobs. We have all studied this problem to death in the last 18 months. It is now time to sift through all of this information we have before us and take a course of action. This will not only take courage, but it will stretch us to the limits as leaders. If we can turn the corner on our economy and start the road back, main street merchants will be our best barometer. If we instill confidence in the people of Iowa, the local merchants will be the first ones to feel that renewed confidence.

It goes without saying, the budget will be a great problem this year. We must not make commitments we cannot keep or give false hopes with the "credit card"

approach to problems. We must look at the reallocation of the resources we have available to make them do the most for us.

This session can be one that accomplishes a lot or be the most political session possible with as many of you as there are running for higher office. Just remember that the person that will bend politically these next two years will be the one that puts personal politics aside and does what is right for the citizens of Iowa. The people of Iowa are ready for action, not rhetoric.

APPOINTMENT OF TEMPORARY SECRETARY AND PARLIAMENTARIAN

Senator Junkins moved that K. Marie Thayer be appointed as temporary Secretary and Marilyn K. Mueller as Parliamentarian of the Senate.

The motion prevailed by a voice vote and Ms. Thayer and Ms. Mueller appeared before the rostrum and were duly sworn to their oaths of office.

ADOPTION OF TEMPORARY RULES

Senator Junkins moved that the rules of the Senate for the Seventieth General Assembly be adopted as the temporary rules for the Seventy-first General Assembly.

The motion prevailed by a voice vote.

COMMITTEE ON CREDENTIALS

Senator Junkins moved that a committee of five be appointed as a committee on Credentials.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Mann, Chair; Doyle, Hester, Murphy and Ritsema.

The Senate stood at ease until the fall of the gavel

The Senate resumed session, President Anderson presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copy of the certification of the Secretary

of State duly elected and entitled to seats in the Senate of the Seventy-first General Assembly.

THOMAS MANN, JR., Chair
DONALD V. DOYLE
JACK W. HESTER
LARRY MURPHY
DOUGLAS RITSEMA

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, MARY JANE ODELL, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 6, 1984, each of the following named persons was elected to the office of State Senator for the term of four years beginning on the second day of January, 1985:

DISTRICTS

Second	Donald V. Doyle
Fourth	Richard Vande Hoef
Sixth	Lee Holt
Eighth	Berl E. Priebe
Tenth	Alvin V. Miller
Twelfth	Joy Corning
Fourteenth	Larry Murphy
Sixteenth	Dale L. Tieden
Eighteenth	Bob Carr
Twentieth	Edgar H. Holden
Twenty-second	Beverly A. Hannon
Twenty-fourth	Hurley W. Hall
Twenty-sixth	James D. Wells
Twenty-eighth	Richard F. Drake
Thirtieth	Charles P. Miller
Thirty-second	Forrest V. Schwengels
Thirty-fourth	John A. Neighbour
Thirty-sixth	John Soorholtz
Thirty-eighth	Emil J. Husak
Fortieth	George R. Kinley
Forty-second	Dave Readinger
Forty-fourth	Jack N. Nystrom
Forty-sixth	Leonard L. Boswell
Forty-eighth	Bill Hutchins
Fiftieth	Michael E. Gronstal

I, FURTHER CERTIFY that the state Canvassing Board has declared that at the General Election held on November 2, 1982, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the third day of January, 1983:

DISTRICTS

First.....	Milo Colton
Third.....	Douglas Ritsema
Fifth.....	Arne Waldstein
Seventh.....	C. Joseph Coleman
Ninth.....	Ray Taylor
Eleventh.....	John W. Jensen
Thirteenth.....	Thomas A. Lind
Fifteenth.....	Arthur L. Gratius
Seventeenth.....	Joe J. Welsh
Nineteenth.....	Norman J. Goodwin
Twenty-first.....	Patrick J. Deluhery
Twenty-third.....	Arthur A. Small, Jr.
Twenty-fifth.....	Wally E. Horn
Twenty-seventh.....	Joe Brown
Twenty-ninth.....	Jack Rife
Thirty-first.....	Lowell L. Junkins
Thirty-third.....	Don E. Gettings
Thirty-fifth.....	Bill Dieleman
Thirty-seventh.....	Charles Bruner
Thirty-ninth.....	William D. Palmer
Forty-first.....	Julia B. Gentleman
Forty-third.....	Tom Mann, Jr.
Forty-fifth.....	Norman Rodgers
Forty-seventh.....	Calvin O. Hultman
Forty-ninth.....	Jack W. Hester

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 7th day of January, 1985.

(SEAL)

MARY JANE ODELL, Secretary of State

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

COMMITTEE TO NOTIFY THE GOVERNOR

Senator 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 Bruner, Chair; Corning and Gronstal.

COMMITTEE TO NOTIFY THE HOUSE

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Horn, Chair; Dieleman and Holt.

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, Mike Glover
- 53 WOI-TV, Marcia Cady
- 54 WHO-TV, Brooks Humphreys
- 55 United Press International, Bill Brewer
- 56 Iowa Legislative News Service, Jo VonStein
- 57 KRNT News, Julie Rutz
- 58 Cedar Rapids Gazette, Ken Sullivan
- 59 Quad-City Times, Michael Owen
- 60 Iowa Newspaper Association, Harrison Weber
- 61 Iowa Broadcast System, Bob Singer
- 62 Waterloo Courier, Eric Woolson
- 63 Dubuque Telegraph Herald, Roxie Hammil
- 64 KCCI TV, Anne Hawkins

GENERAL ASSIGNMENT

AFSCME Pride News: Larry Scarpino
 The Associated Press: Tom Seery
 Cedar Rapids Gazette: Judy Daubenmier

Dahlman Creative Media: Deb Ryan, Jackie King, Steve Dahlman
 Des Moines Register: David Yepsen, Dewey Knudson
 Iowa Legislative News Service: Sue Barbieri, Susan Davis
 Iowa Newspaper Association: Bill Monroe
 Iowa Radio Network: C. Ross Martin, Brian Weber
 KCCI TV: Dave Busiek, John Houghton
 KJYY Radio: Kevern J. Teale
 KLYF FM: Rob Dillard
 KRNT News: Pam Dixon, Roger Summitt, Deb Craft, Robin Shepard, Elaine
 Honomichl, Dale Woolery
 KWLO/KFMW Radio: Christopher Scholl, John Garcia
 KWWL TV: Diann Hostert, Chris Lidstad
 United Press International: Scott Sonner
 WHO Radio News: Lore McManus, Ev Hickman, Dane Placko, Bob Quinn
 WHO TV: Cortney Kintzer, Matt Hoffmann, John Windschitl, Steve Carns, Mike
 Borland, Mike Sims, Eric Ulbrich
 WOI Radio: Allison Hadley, Kay Henderson
 WOI TV: Blake Bruner, Rodney Minor
 WMT Radio: James Boyd, Christy Cobb
 The Sioux City Journal: Jack W. Huttig

**APPOINTMENT OF PERMANENT
 OFFICERS AND EMPLOYEES**

Senator Junkins asked and received unanimous consent to take up 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 for appointment as permanent officers and employees of the Senate for the Seventy-first General Assembly:

Secretary of the Senate K. Marie Thayer
 Parliamentarian Marilyn K. Mueller

Administrative

Secretary to the Secretary Jean Cook
 Finance Officer Mary Ann Abbott
 Assistant Finance Officer/
 Assistant to the Legal Counsel Valerie L. Deaton
 Recording Clerk Mary M. Kennedy
 Records and Supply Clerk Phyllis E. Peters
 Secretary to the Secretary Judith Rutledge

Indexing

Chief Indexer Maxine E. Gunton
 Assistant Indexer Caryll Wilbur

Journal

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

Legal Counsel

Legal Counsel Ann VerHeul
 Assistant Secretary Cynthia A. Clingan
 Assistant to the Legal Counsel/
 Assistant Finance Officer Valerie L. Deaton

Majority Caucus

Administrative Assistant
 to Majority Leader Jana J. Zinser
 Caucus Staff Director Gregory S. Nichols
 Research Analyst Mary Gannon
 Research Analyst Dennis Harbaugh
 Research Analyst Debbie O'Leary
 Research Analyst Joseph Rasmussen
 Research Analyst Rebecca Roorda
 Secretary to Caucus Mary Bustad

Minority Caucus

Administrative Assistant
 to Minority Leader Judy Bertelsen
 Caucus Staff Director Peter J. Coniglio
 Research Analyst James M. Boose
 Research Analyst Barbara Dietrich
 Research Analyst Carol D. Olson
 Research Analyst Scott M. Teasdale
 Secretary to Caucus Nancy Henter

Sergeant-at-arms

Sergeant-at-arms James E. Briles
 Assistant Sergeant-at-arms Jack Levine
 Assistant Sergeant-at-arms Steven E. Norder
 Chief Doorkeeper Ray J. Prospero
 Doorkeeper Catherine L. DeHeck
 Doorkeeper Robert Doyle
 Doorkeeper Domenic P. Morrow
 Doorkeeper Frank J. Murphy
 Doorkeeper Roy Nelson
 Doorkeeper E.A. Samuelson

Services

Bill Clerk	Mark A. Schoeberl
Assistant Bill Clerk	Scott Beattie
Switchboard Operator	Betty Lawler
Switchboard Operator	Fredda Wright
Postmaster	Dino Masolini
Porter	James M. Sullivan

LOWELL L. JUNKINS, Chair

Senator Junkins moved the adoption of the report and the appointment of the permanent officers and employees of the Senate.

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Bruner 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.

APPOINTMENT OF SENATE SECRETARIES

Senator Junkins asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

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

Leonard L. Boswell	Patti Lippold
Joe Brown	Margaret Wimmer
Charles Bruner	Sally Jo Krisel
Robert Carr	Eleanor Lundberg
C. Joseph Coleman	Carole Peterson
Milo Colton	Holly Martin
Joy Corning	Betty Gottschalk
Patrick J. Deluhery	Laura Morton
William Dieleman	Katie Doyle
Richard Drake	Jean McClatchey

Julia B. Gentleman.....	Phyllis Den Hartog
Don E. Gettings	Beverly Gettings
Norman J. Goodwin	Betty Dysart
Arthur L. Gratius	Katheryn Walden
Michael E. Gronstal.....	Jo Ann Hanover
Hurley W. Hall	Mildred Stewart
Beverly A. Hannon	Joe Andreeson
Jack W. Hester	Marci Nelson
Edgar H. Holden	Barbara Harrison
Lee W. Holt	Betty Wasker
Wally Horn	Rosemary Randolph
Calvin O. Hultman	Betty Wise
Emil J. Husak	Dorothy Husak
Bill Hutchins	JoAnn Hutchins
John W. Jensen	Myrtle Jensen
Lowell L. Junkins	Kathy Hillman
George R. Kinley	Jeanne Heller
Thomas A. Lind	Barbara Lind
Thomas Mann, Jr.	Claudia Shepherd
Alvin A. Miller	Paula Cox
Charles P. Miller	Virginia Miller
Larry Murphy	Steven Falck
John Neighbour	Connie Eichhorn
John N. Nystrom	Joy Sundberg
William D. Palmer	Judy Frazier
Berl Priebe	Fran Kurtz
David M. Readinger	Pat King
Jack Rife	Sondra Aamoth
Douglas Ritsema	Alyce Elmitt
Norman G. Rodgers	Geraldine McCarthy
Forrest Schwengels	Hazel Schroedel
Arthur A. Small, Jr.	Ann Blanchard
John E. Soorholtz	Bev Samuelson
Ray Taylor	Gerry Rydell
Dale L. Tieden	Flo Saf
Richard Vande Hoef	Harriett Vande Hoef
Arne Waldstein	Joyce Anderson
James D. Wells	Ruth Strait
Joe J. Welsh	Randall Bauer

LOWELL L. JUNKINS, Chair

Senator Junkins moved the adoption of the report and the appointment of the Senate secretaries.

The motion prevailed by a voice vote and the foregoing Senate secretaries appeared before the bar of the Senate and were duly sworn.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Junkins placed in nomination the name of Senator Norman Rodgers of Dallas County as a candidate for the office of President pro tempore of the Senate for the Seventy-first General Assembly.

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

The Chair announced that Senator Rodgers had been elected President pro tempore of the Seventy-first General Assembly.

President Anderson requested Senators Coleman, Miller of Des Moines and Tieden to escort Senator Rodgers to the rostrum.

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

Senator Rodgers addressed the Senate with the following remarks:

Thank you, Lieutenant Governor Anderson. I want to thank my caucus for their support in selecting me for this position in November. Now I want to express my appreciation to all senators for electing me as your President Pro Tempore.

I look to the trying days ahead working with the Lieutenant Governor, the majority and minority leaders and especially working with all you senators so that we may make Iowa a better state for all Iowans in these trying times.

I feel we must balance the budget on existing revenues. Hopefully, we together can put together an economic package with an alternative revenue measure. Also, I would hope that we would not forget our highways when we put together an economic package. We all know that a good highway system not only saves lives but saves many dollars on every car and truck from wear and tear. Plus a good highway system is very vital for future economic development.

Somehow we must get the attention of Washington for the plight of our farmers who are facing VERY SERIOUS financial difficulties which is also affecting every rural town across the state of Iowa. This, in turn, would not only take care of many of our economic woes but would help make Iowa a progressive state once again.

At this time I would like to welcome all our new senators to the Senate. Having met all of you previously and worked with some of you, I feel we have a top notch group of freshman senators.

Again I look forward to working with all of you!

Thank you.

APPOINTMENT OF PAGES

Senator Junkins asked and received unanimous consent to take up 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 1985 Session of the Seventy-first General Assembly:

Kenneth Auge, Fort Madison
Linda Bray, Cedar Rapids
Jacqueline Holm, Creston
Amy Mayer, Hudson
David McCaffrey, Davenport
Jeffrey Nielsen, Iowa City
Mary Poehler, Monticello
James Roberts, Des Moines
Scott Romans, Secretary's/Parliamentarian's Page, Ankeny
Darci Shell, Madrid
Christopher Sorensen, Cedar Falls
Susan Suntken, Sioux City
Tracy Templeton, Lieutenant Governor's Page, Melcher
Sherry Vais, Exira
Scott Watson, Richland

LOWELL L. JUNKINS, Chair

Senator Junkins moved the adoption of the report and the appointment of the Senate pages.

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.

COMMITTEE ON MILEAGE

Senator Junkins moved that a committee of four be appointed as a committee on Mileage.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Wells, Chair; Holden, Jensen and Neighbour.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 1, by committee on Rules and Administration, a concurrent resolution relating to distribution of printed legislative materials.

Read first time and passed on file.

ADOPTION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolution 1.

Senate Concurrent Resolution 1

On motion of Senator Junkins, Senate Concurrent Resolution 1, a resolution providing county auditors with daily copies of legislative materials, was taken up for consideration.

Senator Junkins moved the adoption of Senate Concurrent Resolution 1, which motion prevailed by a voice vote and the resolution was adopted.

COMMITTEE ON CHAPLAINS

Senator Junkins moved that Senator Boswell be appointed as a committee of one to work with a Representative of the House in securing chaplains for the Senate during the Seventy-first General Assembly, which motion prevailed by a voice vote.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Horn 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 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.

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 handicap be allowed to select his or her 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 by 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.
Boswell of Decatur	2
Brown of Poweshiek	19
Bruner of Story	9
Carr of Dubuque	21
Coleman of Webster	13
Colton of Woodbury	3
Corning of Black Hawk	4
Deluhery of Scott	23
Dieleman of Marion	33
Doyle of Woodbury	15
Drake of Muscatine	40
Gentleman of Polk	30
Gettings of Wapello	5
Goodwin of Clinton	26
Gratias of Floyd	24
Gronstal of Pottawattamie	20
Hall of Linn	36
Hannon of Jones	18
Hester of Pottawattamie	6
Holden of Scott	22

Holt of Clay	10
Horn of Linn	17
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	28
Mann of Polk	31
Miller of Cerro Gordo	39
Miller of Des Moines	45
Murphy of Fayette	25
Neighbour of Lucas	11
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
Small of Johnson	27
Soorholtz of Marshall	32
Taylor of Hardin	50
Tieden of Clayton	48
Vande Hoef of Osceola	14
Waldstein of Buena Vista	34
Wells of Linn	35
Welsh of Dubuque	1

INTRODUCTION OF BILLS

Senate File 1, by Holden, a bill for an act to eliminate the requirement that the clerk of court report to the state registrar of vital statistics additional information with respect to dissolutions and annulments.

Read first time and passed on file.

Senate File 2, by Lind, a bill for an act requiring the board of regents to adequately insure against catastrophic losses all buildings owned by institutions governed by the board and the contents of the buildings.

Read first time and passed on file.

Senate File 3, by Taylor, a bill for an act relating to a violation for failure to yield to or illegally passing a school bus.

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

Senate File 4, by Lind, a bill for an act relating to the enforcement of regulations prohibiting the dispensing of leaded fuel into motor vehicles requiring unleaded fuel.

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

Senate File 5, by Lind, a bill for an act relating to the requirement for driver education courses.

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

Senate File 6, by Lind, a bill for an act providing an exemption from property taxation when value is added by improvements made to a homestead and providing a penalty.

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

Senate File 7, by Lind, a bill for an act requiring motor fuel and special fuel dealers to provide certain motor vehicle maintenance and repair services and equipment at their regular place of business.

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

Senate File 8, by Lind, a bill for an act allowing the low income and elderly to pay their property taxes by working for the local jurisdiction.

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

Senate File 9, by Boswell, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

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

Senate File 10, 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 11, by Gratiias, a bill for an act to repeal the navigational servitude of public waters.

Read first time and passed on file.

Senate File 12, by Hall, a bill for an act to extend the deadlines for application to the crime victim reparation program.

Read first time and passed on file.

Senate File 13, 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 14, by Dieleman, a bill for an act relating to the training and racing of dogs that have been trained with the use of live animals in the course of the training and providing penalties.

Read first time and passed on file.

Senate File 15, by Boswell, a bill for an act relating to the designation of the Grand river.

Read first time and passed on file.

Senate File 16, by Holden, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees.

Read first time and passed on file.

Senate File 17, by Lind, a bill for an act to provide for an approved driver education course taught by a parent or guardian.

Read first time and passed on file.

Senate File 18, by Wells, a bill for an act relating to the deposit of cremation ashes on private property.

Read first time and passed on file.

Senate File 19, by Hutchins, a bill for an act to prohibit the recording of speeding tickets for violations ten miles per hour or less over the posted limit, subject to a penalty provided by law.

Read first time and passed on file.

Senate File 20, by Lind, a bill for an act relating to guidance counseling of students.

Read first time and passed on file.

Senate File 21, 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 22, by Lind, a bill for an act relating to permits and licenses of minors to operate motor vehicles.

Read first time and passed on file.

Senate File 23, by Lind, a bill for an act relating to the disclosure of social security account numbers.

Read first time and passed on file.

Senate File 24, by Dieleman, a bill for an act to impose 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.

INTRODUCTION OF RESOLUTION

Senate Resolution 1, a resolution relating to the permanent rules of the senate for the seventy-first general assembly.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:42 a.m., until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:05 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 45 present, 5 absent and a quorum present.

The Senate stood at ease for the purpose of a party caucus.

The Senate resumed session, President Anderson presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

House Concurrent Resolution 1, a resolution providing for a joint convention be held on Tuesday, January 15, 1985, for the purpose of hearing the Governor deliver the state of the state message.

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 1.

House Concurrent Resolution 1

On motion of Senator Junkins, House Concurrent Resolution 1, a resolution relating to a joint convention with the House of Representatives on January 15, 1985, for the governor's condition of the state message, was taken up for consideration.

Senator Junkins moved the adoption of House Concurrent Resolution 1, which motion prevailed by a voice vote and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Concurrent Resolution 1 be immediately messaged to the House.

REPORT OF COMMITTEE MEETING**RULES AND ADMINISTRATION**

Convened: January 10, 1985, 9:20 a.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Gettings and Jensen.

Members Absent: Kinley.

Final Bill Action: SENATE RESOLUTION 1, a resolution providing for the permanent rules of the Senate.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 3:00 p.m.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 1.

Senate Resolution 1

On motion of Senator Hutchins, Senate Resolution 1, a resolution providing for the permanent rules of the Senate for the seventy-first general assembly, was taken up for consideration.

Senator Holden offered amendment S-3001 filed by him from the floor to pages 4 and 5 of the resolution and requested a division: lines 2 through 4 as division S-3001A and lines 5 through 10 as division S-3001B.

Senator Holden moved the adoption of division S-3001A, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—3001B.

A non record roll call was requested.

The ayes were 18, nays 25.

Division S—3001B lost.

Senator Holden offered amendment S—3002 filed by him from the floor to page 13 of the resolution and moved its adoption.

Amendment S—3002 was adopted by a voice vote.

Senator Hutchins moved the adoption of Senate Resolution 1 as amended, which motion prevailed by a voice vote and the resolution was adopted.

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 14, 1985, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, a resolution providing that a joint convention be held on Thursday, January 17, 1985, at 10:00 a.m., and that Chief Justice Reynoldson be invited to deliver his message of the condition of the judicial department.

This resolution was read first time and passed on file.

ALSO: That the House has on January 14, 1985, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 3, a resolution calling for a joint convention of the House and Senate on Thursday, January 24, 1985, at 10:00 a.m., and inviting Governor Branstad to deliver the budget message at this joint convention.

This resolution was read first time and passed on file.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 2, by Mann, a resolution to commemorate Martin Luther King Day.

Read first time and passed on file.

Senate Concurrent Resolution 2, by the committee on Rules and Administration, a resolution relating to the compensation of officers and employees of the Seventy-first General Assembly.

Read first time and placed on calendar.

Senate Concurrent Resolution 3, by the committee on Rules and Administration, a resolution relating to the joint rules of the senate and house.

Read first time and placed on calendar.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 2.

House Concurrent Resolution 2

On motion of Senator Junkins, House Concurrent Resolution 2, a resolution providing for a joint convention on January 17, 1985, for the condition of the judicial department message, was taken up for consideration.

Senator Junkins moved the adoption of House Concurrent Resolution 2, which motion prevailed by a voice vote and the resolution was adopted.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mrs. Geraldine Brown —For her retirement as musician for over sixty years at the Saint John African Methodist Episcopal Church; and for the sharing of her talents with numerous civic organizations in the City of Burlington. Senator Charles Miller. (April 29, 1984.)

Saint John African Methodist Episcopal Church —In observance of their 117th Anniversary. Senator Charles Miller. (April 29, 1984.)

The People of the Panama Community —Centennial Celebration, June 8, 1984. Senator Bill Hutchins. (June 8, 1984.)

The City of West Burlington —Centennial Celebration, a century of growth 1884-1984. Senator Charles Miller. (July 6, 1984.)

The First Baptist Church of Danville —In honor of their Sesquicentennial. Senator Charles Miller. (October 18, 1984.)

Bill Curley —For introduction into the Grand Aerie's Eagle Hall of Fame. Senator Charles Miller. (October 20, 1984.)

Thomas N. Urban, Chair; and Margaret P. Borgen, Betty Jean Furgerson, Karen Goodenow, James D. Jess, James Knott and Mark Schantz, Members—For service in the Excellence in Education Task Force. Senator Brown. (October 24, 1984.)

Coach Eckhardt and the Schleswig Hawks —Winners of the 1984 Class A State Football Championship. Senator Bill Hutchins. (November 16, 1984.)

Coach Bladt and the Harlan Cyclones —Winners of the 1984 Class 3A Football Championship. Senator Bill Hutchins. (November 17, 1984.)

COMMUNICATION FROM THE SECRETARY OF STATE

Secretary of the Senate
Seventy-first General Assembly

On the 17th day of December, 1984, I, Mary Jane Odell, Secretary of State of the State of Iowa, do hereby certify that the following named newspapers were designated to publish Senate Joint Resolutions #9 and #2001, Acts of the Seventieth General Assembly, and in accordance with the provisions of Chapter Six, Code of Iowa, 1983, affidavits showing proof of publications are on file in this Department and are recorded as hereinafter shown:

<u>Congressional Districts</u>	<u>Newspapers</u>	<u>Dates Published, 1984</u>
First	Ottumwa Courier, Ottumwa	8/13 - 9/10 - 10/8 - 11/5
	The Wapello Republican, Wapello	8/16 - 9/13 - 10/11 - 11/1
Second	Manchester Democrat-Radio, Manchester	8/13 - 9/10 - 10/8 - 11/5
	The Cedar Rapids Gazette, Cedar Rapids	8/14 - 9/11 - 10/9 - 11/3
Third	Waterloo Courier Cedar Falls Record, Waterloo	8/15 - 9/10 - 10/10 - 11/2
	Marshalltown Times Republican, Marshalltown	8/16 - 9/13 - 10/11 - 11/1
Fourth	Ames Daily Tribune, Ames	8/16 - 9/13 - 10/11 - 11/1
	The Des Moines Register, Des Moines	8/15 - 9/12 - 10/10 - 11/3
Fifth	The Daily Nonpareil, Council Bluffs	8/16 - 9/13 - 10/11 - 11/1
	The Messenger, Fort Dodge	8/14 - 9/13 - 10/9 - 11/5
Sixth	Globe Gazette, Mason City	8/14 - 9/11 - 10/9 - 11/2
	The Sioux City Journal, Sioux City	8/13 - 9/10 - 10/8 - 11/1

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Secretary of State at the Capitol, in Des Moines, this 17th day of December, A.D., 1984.

MARY JANE ODELL, Secretary of State

FURTHER REPORT OF COMMITTEE MEETING

*A previous report of this meeting was recorded on page 22 of the Senate Journal.

Final Bill Action: Senate Concurrent Resolution 1, a resolution relating to distribution of printed legislative materials.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SENATE STUDY BILLS

S.S.B. 1 Education

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

S.S.B. 2 Education

An act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

S.S.B. 3 Education

An act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

S.S.B. 4 Education

An act requiring the state board of public instruction to adopt a five-year plan regarding education.

S.S.B. 5 Education

An act relating to the weighting of resident pupils attending certain classes administered by merged area schools.

S.S.B. 6 Education

An act relating to the determination of special education balances of school districts by the state comptroller and providing that the act is retroactive to June 30, 1984.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: January 14, 1985, 11:45 a.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Gettings, Kinley and Jensen.

Final Bill Action: Senate Concurrent Resolution 2, a concurrent resolution relating to compensation of officers and employees of the Seventy-first General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Junkins, Hutchins, Hultman, Gettings, Kinley and Jensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: Senate Concurrent Resolution 3, a concurrent resolution relating to the joint rules of the senate and house.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Junkins, Hutchins, Hultman, Gettings, Kinley and Jensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 12:00 noon.

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate on December 31, 1984 from:

TO THE SENATE OF THE IOWA GENERAL ASSEMBLY:

Pursuant to the provisions of section 68B.10, The Code, the undersigned, Chief Justice of the Supreme Court of Iowa, hereby appoints Lucas J. DeKoster, of Hull, and Mark E. Schantz, of Des Moines, neither of whom is an employee of the General Assembly, as members of the Ethics Committee in the Senate.

Done this 31st day of December, 1984.

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

PETITIONS

The following petitions were presented and placed on file by:

Senator Junkins from three hundred seventy-three residents of Iowa opposing high utility bills.

Senator Junkins from fifty-two residents of Iowa opposing legislation utilizing IPERS pension funds for uses other than as originally intended.

Senator Junkins from one thousand nine hundred thirty-eight residents of Iowa opposing state lottery legislation.

AMENDMENTS FILED

S—3001	S. R.	1	Edgar H. Holden
S—3002	S. R.	1	Edgar H. Holden
S—3003	S. C. R.	3	Lowell L. Junkins Calvin O. Hultman
S—3004	S. C. R.	3	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Tuesday, January 15, 1985.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 15, 1985

The Senate met in regular session at 9:06 a.m., President Anderson presiding.

Prayer was offered by the Honorable Harold E. Hughes, former Governor and United States Senator from Iowa.

The Journal of January 14, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 25, by Wells and Bruner, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

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

Senate File 26, by Bruner and Gentleman, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

Read first time and passed on file.

Senate File 27, by Bruner, a bill for an act relating to the investment policies for funds available to certain state agencies.

Read first time and passed on file.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 2.

Senate Resolution 2

On motion of Senator Mann, Senate Resolution 2, a resolution to commemorate Martin Luther King Day, was taken up for consideration.

Senator Mann moved the adoption of Senate Resolution 2, which motion prevailed by a voice vote and the resolution was adopted.

REQUEST FOR UNANIMOUS CONSENT

(Vote on Senate Resolution 1)

Senator Junkins asked and received unanimous consent that the Senate Journal reflect a non record roll call on Senate Resolution 1, a resolution relating to the permanent rules of the Senate, which was adopted by a voice vote on January 14, 1985.

The ayes were 42, nays none.

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 9:50 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 Branstad that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the President appointed as such committee Senators Rodgers, Hannon and Holden, on the part of the Senate, and Representatives Arnould, Blanshan and Welden, 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.

State officials Mary Jane Odell, Secretary of State; Michael L. Fitzgerald, Treasurer of State; and Thomas J. Miller, Attorney General, were escorted into the House chamber.

Mrs. Chris Branstad; son, Eric; daughter, Allison; Governor Branstad's parents, Mr. and Mrs. Edward Branstad; 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:

It is my constitutional responsibility to report to you on the condition of our

state. Today, I will fulfill that duty and I will return on January 24, to present the state budget.

Today, I am going to break with the tradition of reporting on the accomplishments of the past year. Instead, I am going to speak from the heart about the condition of our state.

First, I want to personally welcome all the members of this, the 71st General Assembly—especially the new members that are here. Twelve years ago I sat where you are today. I know you are facing a challenging and exciting time this session. As Governor, I look forward to working with you and wish you all the very best.

I want to express my appreciation to the unsung heroes of this state, the honest, hardy people,—who raise their families,—and don't ask for anything. In fact, they always give. They give to their church and charities and good causes. They give to their communities, friends and neighbors whenever there is a need.

I want to thank the dedicated employees who make state and local government work, the teachers in both public and private schools, our peace officers, firefighters and others who make it possible for us to deliver needed services to the people of the state. These Iowans contribute to our fine quality of life and deserve our recognition and respect.

And now, the condition of our state.

In Iowa, we are all tied to the land. When a tractor grinds to a halt in the farm field, the wheels of commerce move more slowly on Main Street.

During the past year, many Iowans have shared their hardships and fears with me. In fact, there are many in the galleries who are here today to share their concerns with us. My heart goes out to families who have lost their farms, and to the business people whose doors have been closed.

A western Iowa farmer recently told me how federal liquidators refused him the authority to purchase the feed needed for his hogs. I have heard from workers laid off by Caterpillar, Rath, and International Harvester—Iowans confused and afraid for their family's future.

These good people are innocent victims of an economic storm which, although brewed elsewhere, struck here. I have put forward a comprehensive program for an agricultural recovery. We need federal action to bring interest rates down and help farmers get through this immediate credit crunch—a situation that will only get worse as we approach March 1st. The federal government should do for farmers what it did for Chrysler—provide loan guarantees that allow them to work out of this credit crisis.

We must get the federal deficit under control to bring interest rates down and exports up. We, the heartland, are willing to do our share to achieve a meaningful federal budget freeze—provided that it is fair and across-the-board.

We must press for action at the national level, just as we must move forward on the state level. I was in the nation's capital on Friday, and we carried the message to the White House. I talked with David Stockman, Paul Volcker, John Block and Bob Dole. As Governor of the leading farm state, I told them I will not be satisfied until we get results.

Restoring economic prosperity is not an easy job, but it can be done. The first thing we must do is recognize our strength. We have a lot of assets in this state. And, it is time we started telling the world about them.

We have clean air, open spaces, beautiful parks and fertile fields. We have progressive towns and cities. Most importantly, we have decent, hard-working and productive people.

Simply said, Iowans are the best thing that Iowa has going for it.

Winston Churchill, the great leader who helped his nation weather the darkest hours during World War II, said "We have NOT journeyed all this way across the centuries, across the oceans, across the mountains, across the prairies, because we are made of sugar candy."

We Iowans are not made of sugar candy either. It is our spirit, our determination to excel, that keeps us striving for results—even when the obstacles seem overwhelming.

What we need now is a common sense of purpose. Skirmishes between Republicans and Democrats, town and country, city and city, will only divide us.

Today, I ask all Iowans to unite in a compact—a compact for the future growth of Iowa—a compact whose objectives are quality education, the safety of our citizens and good jobs for men and women of all ages.

Educational Excellence

Quality education has always been important to Iowa's growth. Our state began with a commitment to access to education. We built a school within two miles of every Iowa child. Then in the early 1970's, we embarked the school aid formula to provide and insure equity in education—equal opportunity for all students regardless of the wealth of their school district.

From access to equity, our quest now leads us to educational excellence.

We have much to be proud of. Almost three-quarters of the citizens of this state believe our educational system is good or very good. Iowa students score at the top nationally in the various tests of academic achievement. We have one of the lowest dropout rates in the country. In fact, Iowans even check out more library books per capita than Americans in any of the other states.

We now invest well over half of our state tax dollars in educating our children. And, next year our state school aid formula will be increased by an additional \$33 million—to a record \$740 million. That represents about \$1,500 in state aid for every public school student in this state.

Our base is solid, but we can do more. Three task forces of prominent educators and citizens have worked to show us how. Their many thoughtful recommendations serve as good guideposts to help us embark on a third generation of educational policy.

Iowa's schools are only as strong as our teachers. So, we must give our teachers the incentives and tools they need—as well as the respect and recognition they deserve.

I recommend a new teacher certification process so that extra compensation can be earned by master teachers.

My program includes a one-year pilot project to test new teachers, and to require Iowa schools to release the results of standard test scores. These are some of the initiatives that will give us a way to measure the success of our schools.

I will personally recognize individual school achievement through a Governor's School Improvement Award Program. And, we will provide funds for educational improvement grants.

There are other ideas to improve our schools which should be on the agenda this session. One is a program to coordinate curricula at all levels of education. Another is increased funding to help school districts which share programs. This is especially important to our small rural schools.

When it comes to higher education, we in Iowa have some of the finest institutions in this country. Our public and private colleges and universities have served us well, and we have every right to be proud of them.

To strengthen the system, I propose increasing the Iowa Tuition Grant Program so that more students can receive grants, and the grants can be larger.

We must support our three state universities with additional funding for both research and instruction. We must support our area colleges as a vital link in our education, job training and economic development activities.

The commitment we make to our schools is critical to Iowa's young people and to their development.

Public Safety

It is not enough to educate our young people. We must also protect them from personal harm.

Our hearts are filled with emotion as we listen to Noreen Gosch, Donald Martin or John Walsh. These parents are eloquent advocates for stronger child protection laws.

If we earnestly want to prevent others from experiencing their agony, we should act. Here are some of the things we can do:

- give law enforcement better tools to capture and prosecute abusers,
- strengthen the penalties for crimes against children,
- aid and counsel the victims,
- allow video testimony from children in the courtroom, and
- require criminal background checks for applicants for sensitive jobs with young children.

We must not be satisfied until our children can feel free from abuse, abduction and molestation.

Nor can we relent in our work to secure safety on our highways. Last year we made progress in tightening drunk driving laws, and we saw traffic deaths decline in Iowa. This year, the public is demanding even more meaningful changes.

We should heed that call for action. We should adopt uniform, nationally recognized standards to stop drunk driving.

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When a person commits a crime, he or she must expect to pay the price. Dangerous felons should stay behind bars until they are rehabilitated or have earned their parole.

The conscientious members of our citizens' Parole Board are constantly caught between the proverbial rock and a hard place as they strive to protect the public's safety, and try to stay under the prison population cap. We must not be forced to parole dangerous felons because of some arbitrary lid.

The 500 new prison beds now on line, will, in the short run, help ease some of the overcrowding. Other states have contracted with private concerns to build and operate new prisons. That may be a workable solution for Iowa, and it, along with other ideas, deserves further study.

Jobs for Iowans

We must do more than educate and protect our children. We must find jobs for them in Iowa when they grow up. We cannot afford to spend billions to educate our best and brightest and then send them off to the Sunbelt.

Next week when I return to present the budget, I will highlight a bold program to diversify our economy. It will provide incentives for expansion and exporting, and remove impediments for small business people and farmers. This week, I will speak of ways we can plan and work together to create jobs.

In Japan for some time, and more recently in America, the benefits of public/private partnerships for economic development and economic growth have been recognized.

I will name a permanent Iowa Partnership for Economic Progress to insure that leaders from the private sector continue to play an active role in our state's economic development. The Partnership will include members of the Committee for Iowa's Future Growth, and they will work closely with the Development Commission, the Department of Transportation and local leaders.

Successful development requires a conscious commitment from local leaders as well as the state. We should launch an Iowa Main Street strategy to help in local development efforts. In this way the people who live, work, and shop downtown can be part of the revitalization of their community.

We should always be on the lookout for other innovative ways to develop our state's resources. Our program includes a plan for Iowa State University and the University of Iowa to use new fluidized bed boilers. This system will allow both of these public institutions to burn Iowa coal cleanly and economically—thus, opening a new chapter for our Iowa coal industry.

We need your cooperation in another area important to both creating and retaining Iowa jobs—our Unemployment Trust Fund. Even though it will soon be out of debt, the unemployment system, as it now stands, is an impediment to creating jobs in Iowa.

The one-week waiting period which took effect January 1st should be made permanent, and we need to eliminate penalties for expanding businesses. These small, but significant steps, can be accomplished this year.

A more comprehensive review of the competitiveness of our state unemployment and workers' compensation laws should be undertaken. I will appoint a bipartisan commission, similar to the National Commission on Social Security, to address this sensitive issue.

We must march forward on a number of economic fronts. Energy incentives and venture capital initiatives will each give a boost to fledgling companies, especially small businesses.

These are all part of our economic development program. A much bigger part, along with initiatives in other areas, will be addressed in my budget message next week.

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None of us should be naive enough to believe there is one magic measure that will bring economic prosperity to our state. We cannot stand by and expect someone else to come up with Iowa's version of the computer chip.

For many Iowans, the next few months will be the most trying since the 1930's. Perhaps never again will there be a time when it is so crucial for us all to pull together.

We must all join hands, share what is in our heads, and work in unison with sincere hearts.

To achieve success, we cannot have a Governor's agenda and a legislative agenda, a Democratic plan and a Republican plan, a rural strategy and an urban strategy. We cannot divide . . . we must unite.

Iowans have helped each other triumph over difficult odds before. And, we can do so again with a compact for Iowa's future prosperity.

Today . . . together . . . let's start work on an agenda that we can all get behind. Let's have an IOWA AGENDA that merits, and in fact gains, the support of all the people. Let's have an IOWA AGENDA that will help us overcome today's troubles. Let's have an IOWA AGENDA that will leave a legacy of growth, progress and opportunity in the years ahead.

Thank you, and God bless you all.

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, President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 28, 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 29, by Brown, a bill for an act relating to the day school shall commence for elementary and secondary schools each school year.

Read first time and passed on file.

Senate File 30, by Rodgers, a bill for an act to establish a forest lands hunting stamp for the taking of deer and wild turkey, dedicate the proceeds from sales of the stamps and subject violators to a penalty.

Read first time and passed on file.

Senate File 31, by Brown, a bill for an act allowing a registration plate number to consist of up to eight characters.

Read first time and passed on file.

Senate File 32, by Hutchins, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

Read first time and passed on file.

Senate File 33, by Rife, a bill for an act relating to a state lottery by providing for a state lottery, a lottery commissioner, 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 penalties, providing that revenue generated shall be deposited in an economic development loan fund to make participating loans to increase economic development in the state, and providing for repeal of the Act.

Read first time and passed on file.

Senate File 34, by Hultman, a bill for an act to increase the service retirement allowance for certain members of the peace officers' retirement system.

Read first time and passed on file.

RECESS

On motion of Senator Carr, the Senate recessed at 11:27 a.m., until 1:30 p.m.

APPENDIX

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

The President announced the following standing committee assignments for the Seventy-First General Assembly:

AGRICULTURE

Priebe Chair A. Miller Vice Chair	Soorholtz Ranking Member Husak Hutchins	Palmer Boswell Hester Waldstein	Vande Hoef
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APPROPRIATIONS

Welsh Chair Small Vice Chair Tieden Ranking Member	Horn Deluhery C. Miller Dieleman Gettings Gronstal	Colton Murphy Husak Holt Ritsema Gentleman	Readinger Schwengels Lind
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COMMERCE

Kinley Chair Deluhery Vice Chair	Holden Ranking Member Gronstal	Hutchins Palmer Priebe	Jensen Tieden Nystrom
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EDUCATION

Brown Chair Horn Vice Chair	Gratias Ranking Member Hannon	Colton Murphy Wells	Corning Lind Taylor
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ENERGY AND ENVIRONMENT

Bruner Chair Colton Vice Chair	Corning Ranking Member Carr	Brown A. Miller Gronstal	Soorholtz Rife Hultman
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HUMAN RESOURCES

Wells Chair Bruner Vice Chair	Gentleman Ranking Member Carr Coleman	Hannon Murphy C. Miller Readinger	Vande Hoef Taylor Gratias
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JUDICIARY

Doyle Chair	Carr Coleman	Small Gentleman	Holt Hester
Mann Vice Chair	Deluhery Horn	Drake Taylor	
Ritsema Ranking Member	Dieleman		

LABOR AND INDUSTRIAL RELATIONS

Mann Chair	Jensen Ranking Member	Wells Welsh	Holden Hultman
Gettings Vice Chair	Colton	Deluhery	Rife

LOCAL GOVERNMENT

A. Miller Chair	Waldstein Ranking Member	Priebe Neighbour	Lind Vande Hoef
C. Miller Vice Chair	Wells	Hall	Goodwin

NATURAL RESOURCES

Hall Chair	Schwengels Ranking Member	Hannon Rodgers	Tieden Hester
Priebe Vice Chair	Husak Neighbour	Doyle Goodwin	Gratias

RULES AND ADMINISTRATION

Junkins Chair	Hutchins Vice Chair	Hultman Ranking Member	Kinley Gettings Jensen
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SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Small Chair	Rife Ranking Member	Hutchins Brown	Ritsema Waldstein
Rodgers Vice Chair	Neighbour Doyle	Boswell Readinger	Vande Hoef

STATE GOVERNMENT

Carr Chair	C. Miller Bruner	Horn Welsh	Corning Rife
Dieleman Vice Chair	Coleman Mann	Drake Schwengels	Gentleman
Nystrom Ranking Member			

TRANSPORTATION

Coleman Chair	Drake Ranking Member	Gettings A. Miller	Jensen Goodwin
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Hall Vice Chair	Doyle	Kinley	Nystrom
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WAYS AND MEANS

Palmer Chair	Brown Bruner	Dieleman Mann	Holden Readinger
Husak Vice Chair	Rodgers Boswell	Soorholtz Holt	Gratias
Hester Ranking Member	Gronstal		

ANNOUNCEMENT OF SUBCOMMITTEE APPOINTMENTS

The President announced the appointment of the following Appropriations subcommittee assignments for the Seventy-first General Assembly:

BUSINESS, TRADE AND TRANSPORTATION

Gettings Chair	Coleman Vice Chair	Holt Ranking Member	Priebe Holden
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CLAIMS

Welsh Chair	Palmer Vice Chair	Soorholtz Ranking Member	Kinley Taylor
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EDUCATION

Horn Chair	Brown Vice Chair	Lind Ranking Member	Small Nystrom
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HEALTH AND HUMAN RIGHTS

Colton Chair	Neighbour Vice Chair	Readinger Ranking Member	A. Miller Rife
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JUSTICE SYSTEM

C. Miller Chair	Doyle Vice Chair	Ritsema Ranking Member	Carr Waldstein
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NATURAL RESOURCES

Husak Chair	Murphy Vice Chair	Hester Ranking Member	Hall Tieden
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REGULATORY AND LICENSING

Gronstal Chair	Boswell Vice Chair	Goodwin Ranking Member	Rodgers Jensen
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HUMAN SERVICES

Delubery Chair	Hannon Vice Chair	Vande Hoef Ranking Member	Bruner Gentleman
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STATE GOVERNMENT

Dieleman Chair	Wells Vice Chair	Schwengels Ranking Member	Mann Corning
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APPOINTMENTS BY THE MAJORITY
AND MINORITY LEADERS

SENATE ETHICS COMMITTEE

Appointed by Senator Junkins, Majority Leader

Gettings, Chair	Kinley, Vice Chair	Small
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Appointed by Senator Hultman, Minority Leader

Taylor, Ranking Member	Drake
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SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR BOSWELL

Agriculture
Small Business & Economic
Development
Ways & Means
Regulatory & Licensing
Approp. Sub., Vice Chair

SENATOR BROWN

Education, Chair
Energy & Environment
Small Business & Economic
Development
Ways & Means
Education Approp.
Sub., Vice Chair

SENATOR BRUNER

Energy & Environment, Chair
Human Resources, Vice Chair
State Government
Ways & Means
Human Services
Approp. Sub.

SENATOR CARR

Energy & Environment
Human Resources
Judiciary
State Government, Chair
Justice System
Approp. Sub.

SENATOR COLEMAN

Human Resources
Judiciary
State Government
Transportation, Chair
Business, Trade & Transportation
Approp. Sub., Vice Chair

SENATOR COLTON

Appropriations
Education
Energy & Environment, Vice Chair
Labor/Industrial Relations
Health & Human Rights
Approp. Sub., Chair

SENATOR CORNING

Education
 State Government
 Energy & Environment,
 Ranking Member
 State Government Approp. Sub.

SENATOR DIELEMAN

Appropriations
 Judiciary
 State Government, Vice Chair
 Ways & Means
 State Government Approp.
 Sub., Chair

SENATOR DRAKE

State Government
 Judiciary
 Transportation, Ranking Member
 Ethics

SENATOR GETTINGS

Appropriations
 Labor/Industrial Relations,
 Vice Chair
 Rules & Administration
 Transportation
 Business, Trade & Transportation
 Approp. Sub., Chair
 Ethics, Chair

SENATOR GRATIAS

Education, Ranking Member
 Ways & Means
 Human Resources
 Natural Resources

SENATOR HALL

Local Government
 Natural Resources, Chair
 Transportation, Vice Chair
 Natural Resources Approp. Sub.

SENATOR DELUHERY

Appropriations
 Commerce, Vice Chair
 Judiciary
 Labor/Industrial Relations
 Human Resources Approp.
 Sub., Chair

SENATOR DOYLE

Judiciary, Chair
 Natural Resources
 Small Business &
 Economic Development
 Transportation
 Justice System Approp. Sub., Vice Chair

SENATOR GENTLEMAN

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

SENATOR GOODWIN

Natural Resources
 Transportation
 Local Government
 Regulatory & Licensing Approp. Sub.,
 Ranking Member

SENATOR GRONSTAL

Appropriations
 Commerce
 Energy & Environment
 Ways & Means
 Regulatory & Licensing
 Approp. Sub., Chair

SENATOR HANNON

Education
 Human Resources
 Natural Resources
 Human Services Approp.
 Sub., Vice Chair

SENATOR HESTER

Agriculture
 Ways & Means, Ranking Member
 Natural Resources
 Judiciary
 Natural Resources Approp. Sub.,
 Ranking Member

SENATOR HOLT

Ways & Means
 Appropriations
 Judiciary
 Business, Trade & Transportation
 Approp. Sub., Ranking Member

SENATOR HULTMAN

Rules & Administration, Ranking Member
 Labor/Industrial Relations
 Energy & Environment

SENATOR HUTCHINS

Agriculture
 Commerce
 Rules & Administration, Vice Chair
 Small Business &
 Economic Development

SENATOR JUNKINS

Rules & Administration, Chair

SENATOR LIND

Education
 Local Government
 Appropriations
 Education Approp. Sub.,
 Ranking Member

SENATOR A. MILLER

Agriculture, Vice Chair
 Energy & Environment
 Local Government, Chair
 Transportation
 Health & Human Rights
 Approp. Sub.

SENATOR HOLDEN

Ways & Means
 Commerce, Ranking Member
 Labor/Industrial Relations
 Business, Trade &
 Transportation Approp. Sub.

SENATOR HORN

Appropriations
 Education, Vice Chair
 Judiciary
 State Government
 Education Approp. Sub., Chair

SENATOR HUSAK

Agriculture
 Appropriations
 Natural Resources
 Ways & Means, Vice Chair
 Natural Resources Approp. Sub., Chair

SENATOR JENSEN

Commerce
 Transportation
 Rules & Administration
 Labor/Industrial Relations,
 Ranking Member
 Regulatory & Licensing Approp. Sub.

SENATOR KINLEY

Commerce, Chair
 Rules & Administration
 Transportation
 Claims Approp. Sub.
 Ethics, Vice Chair

SENATOR MANN

Judiciary, Vice Chair
 Labor/Industrial Relations, Chair
 State Government
 Ways & Means
 State Government Approp. Sub.

SENATOR C. MILLER

Appropriations
 Human Resources
 Local Government, Vice Chair
 State Government
 Justice System Approp.
 Sub. Chair

SENATOR MURPHY

Appropriations
 Education
 Human Resources
 Natural Resources Approp. Sub.,
 Vice Chair

SENATOR NYSTROM

Commerce
 State Government,
 Ranking Member
 Transportation
 Education Approp. Sub.

SENATOR PRIEBE

Agriculture, Chair
 Commerce
 Local Government
 Natural Resources, Vice Chair
 Business, Trade &
 Transportation Approp. Sub.

SENATOR RIFE

Small Business & Economic
 Development, Ranking Member
 State Government
 Energy & Environment
 Labor/Industrial Relations
 Health & Human Rights
 Approp. Sub.

SENATOR RODGERS

Natural Resources
 Small Business &
 Economic Development,
 Vice Chair
 Ways & Means
 Regulatory & Licensing
 Approp. Sub.

SENATOR SMALL

Appropriations, Vice Chair
 Judiciary
 Small Business &
 Economic Development, Chair
 Education Approp. Sub.
 Ethics

SENATOR NEIGHBOUR

Local Government
 Natural Resources
 Small Business &
 Economic Development
 Health & Human Rights
 Approp. Sub., Vice Chair

SENATOR PALMER

Agriculture
 Commerce
 Ways & Means, Chair
 Claims Approp. Sub., Vice Chair

SENATOR READINGER

Ways & Means
 Appropriations
 Small Business &
 Economic Development
 Human Resources
 Health & Human Rights
 Approp. Sub., Ranking Member

SENATOR RITSEMA

Judiciary, Ranking Member
 Small Business &
 Economic Development
 Appropriations
 Justice System Approp. Sub.,
 Ranking Member

SENATOR SCHWENGELS

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

SENATOR SOORHOLTZ

Ways & Means
 Agriculture, Ranking Member
 Energy & Environment
 Claims Approp. Sub.,
 Ranking Member

SENATOR TAYLOR

Education
 Judiciary
 Human Resources
 Ethica, Ranking Member
 Claims, Approp. Sub.

SENATOR VANDE HOEF

Local Government
 Agriculture
 Human Resources
 Small Business &
 Economic Development
 Human Resources, Approp.
 Sub., Ranking Member

SENATOR WELLS

Education
 Human Resources, Chair
 Labor/Industrial Relations
 Local Government
 State Government Approp.
 Sub. Vice Chair

SENATOR TIEDEN

Approp. Ranking Member
 Commerce
 Natural Resources
 Natural Resources
 Approp. Sub.

SENATOR WALDSTEIN

Local Government, Ranking Member
 Small Business &
 Economic Development
 Agriculture
 Justice System, Approp. Sub.

SENATOR WELSH

Appropriations, Chair
 Labor/Industrial Relations
 State Government
 Claims Approp. Sub., Chair

REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Sec. 2.10, Code 1983, the following mileage has been determined to be the mileage entitled to the members of the Senate for the Seventy-first General Assembly:

NAME	ROUND TRIP MILES
Lieutenant Governor Robert T. Anderson	70
Boswell, Leonard L.	160
Brown, Joe	150
Bruner, Charles	76
Carr, Robert M.	410
Coleman, C. Joseph	236
Colton, Milo	430
Corning, Joy	220
Deluhery, Patrick J.	336
Dieleman, William W.	102
Doyle, Donald V.	426
Drake, Richard F.	306
Gentleman, Julia B.	none
Gettings, Don E.	190
Goodwin, Norman J.	360
Gratias, Arthur L.	280
Gronstal, Michael E.	270
Hall, Hurley W.	272

Hannon, Beverly A.	310
Heater, Jack W.	250
Holden, Edgar H.	340
Holt, Lee W.	380
Horn, Wally E.	250
Hultman, Calvin O.	238
Husak, Emil J.	150
Hutchins, Bill	170
Jensen, John W.	290
Junkins, Lowell L.	372
Kinley, George R.	none
Lind, Thomas A.	240
Mann, Tom Jr.	none
Miller, Alvin V.	230
Miller, Charles P.	334
Murphy, Larry	300
Neighbour, John A.	112
Nystrom, John N.	100
Palmer, William D.	none
Priebe, Berl E.	280
Readinger, David M.	none
Rife, Jack	298
Ritsema, Douglas	440
Rodgers, Norman G.	68
Schwengels, Forrest	240
Small, Arthur A.	240
Soorholtz, John E.	72
Taylor, Ray	160
Tieden, Dale L.	400
Vande Hoef, Richard	440
Waldstein, Arne	320
Wells, James D.	260
Welsh, Joe J.	400

Respectfully submitted,

JAMES D. WELLS, Chair
EDGAR H. HOLDEN
JOHN W. JENSEN
JOHN A. NEIGHBOUR

AFTERNOON SESSION

The Senate reconvened at 1:31 p.m., President pro tempore Rodgers presiding.

RECESS

On motion of Senator Husak, the Senate recessed at 1:32 p.m., until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:06 p.m., President Anderson presiding.

QUORUM CALL

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

President pro tempore Rodgers took the chair at 3:09 p.m.

The vote revealed 43 present, 7 absent and a quorum present.

The Senate stood at ease for party caucuses.

The Senate resumed session, President pro tempore Rodgers 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.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 2.

Senate Concurrent Resolution 2

On motion of Senator Gettings, Senate Concurrent Resolution 2, a resolution relating to the compensation of officers and employees of the Seventy-first General Assembly, was taken up for consideration.

Senator Gentleman offered amendment S—3005 filed by her from the floor to pages 6 and 7 of the resolution and moved its adoption.

Amendment S—3005 lost by a voice vote.

Senator Waldstein offered amendment S—3007 filed by him from the floor to page 1 of the resolution.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the remainder of the day on request of Senator Vande Hoef.

Senator Waldstein moved the adoption of amendment S—3007.

A record roll call was requested.

On the question "Shall amendment S—3007 be adopted?" (S.C.R. 2) the vote was:

Ayes, 13:

Coleman	Corning	Gentleman	Goodwin
Gratias	Hester	Holden	Lind
Ritsema	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 33:

Boswell	Brown	Bruner	Colton
Deluhery	Dieleman	Doyle	Drake
Gettings	Gronstal	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Soorholtz	Wells
Welsh			

Absent or not voting, 4:

Carr Holt Nystrom Small

Amendment S—3007 lost.

Senator Gettings moved the adoption of Senate Concurrent Resolution 2.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.C.R. 2) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Colton
Delubery	Dieleman	Doyle	Drake
Gentleman	Gettings	Gratias	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Readinger
Rife	Rodgers	Schwengels	Soorholtz
Wells	Welsh		

Nays, 12:

Coleman	Corning	Goodwin	Hester
Holden	Lind	Priebe	Ritsema
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 4:

Carr Holt Nystrom Small

The motion prevailed and the resolution was adopted.

Senator Junkins asked and received unanimous consent that **Senate Concurrent Resolution 2** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 35, by Priebe, a bill for an act relating to animal waste water pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards.

Read first time and passed on file.

Senate File 36, by Priebe, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films and video and audio tapes under certain conditions.

Read first time and passed on file.

Senate File 37, by Priebe, a bill for an act providing for civil penalties against a person who increases the sum payable in a negotiable instrument.

Read first time and passed on file.

Senate File 38, by Priebe, a bill for an act related to the testing and disposal of cattle for bovine brucellosis.

Read first time and passed on file.

Senate File 39, by Holden, a bill for an act to provide for the seizure of the motor vehicle when the driver is arrested for a violation of section 321.281.

Read first time and passed on file.

Senate File 40, by Holden, a bill for an act relating to credit for service under the Iowa public employees' retirement system for certain members who withdrew contributions between July 4, 1953 and July 1, 1973.

Read first time and passed on file.

Senate File 41, by Holden, a bill for an act relating to the taxation of fruit-tree and forest reservations.

Read first time and passed on file.

Senate File 42, by Holden, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system.

Read first time and passed on file.

APPENDIX**SENATE STUDY BILLS****S.S.B. 7 Education**

An act to provide for the granting of certificates of excellence to certain school boards by the state board of public instruction.

S.S.B. 8 Education

An act permitting the members of the board of directors of a school corporation to receive per diem.

S.S.B. 9 Education

An act relating to the number of academic hours a pupil is required to complete before graduation.

S.S.B. 10 Education

A concurrent resolution to direct the department of public instruction to conduct a study of nonapproved nonpublic schools and home study.

S.S.B. 11 Education

An concurrent resolution relating to dissemination of information by the department of public instruction.

S.S.B. 12 Education

An act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985.

S.S.B. 13 Education

A concurrent resolution resolving that the department of public instruction conduct a review of current law and administrative rules relating to education in Iowa and issue a report by September 2, 1985 to the General Assembly.

BILLS ASSIGNED TO COMMITTEE

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

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

REPORTS OF COMMITTEE MEETINGS

ENERGY & ENVIRONMENT

Convened: January 14, 1985, 2:35 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, A. Miller, Gronstal and Rife.

Members Absent: Carr, Soorholtz and Hultman.

Other Committee Business: Adopted committee rules.

Adjourned: 2:45 p.m.

NATURAL RESOURCES

Convened: January 14, 1985, 2:30 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Goodwin, Gratias, Hannon (arrived 2:39 p.m.), Hester, Husak, Neighbour and Tieden.

Members Absent: Rodgers and Doyle.

Other Committee Business: Adopted committee rules and discussed committee priorities.

Adjourned: 2.42 p.m.

STATE GOVERNMENT

Convened: January 14, 1985, 2:05 p.m.

Members Present: Carr, Chair; Nystrom, Ranking Member; Bruner, Corning, Drake, Gentleman, Horn, C. Miller, Rife and Welsh.

Members Absent: Dieleman, Vice Chair; Mann and Schwengels.

Other Committee Business: Adopted committee rules.

Adjourned: 2:15 p.m.

AMENDMENTS FILED

S-3005	S. C. R.	2	Julia B. Gentleman
S-3006	S. C. R.	3	C. Joseph Coleman
S-3007	S. C. R.	2	Arne Waldstein
S-3008	S. C. R.	3	Dale L. Tieden
S-3009	S. C. R.	3	Calvin O. Hultman
S-3010	S. C. R.	3	Julia B. Gentleman
S-3011	S. C. R.	3	Edgar H. Holden Richard Vande Hoef

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Wednesday, January 16, 1985.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 16, 1985

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

Prayer was offered by the Reverend John Swenson, pastor of the Bethlehem Lutheran Church of Red Oak, Red Oak, Iowa.

The Journal of Tuesday, January 15, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Neighbour for the morning session on request of Senator Hutchins.

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 RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for consideration of House Concurrent Resolution 3.

House Concurrent Resolution 3

On motion of Senator Hutchins, House Concurrent Resolution 3, a resolution providing for a joint convention of the House and Senate on January 24, 1985, for the Governor's budget message, was taken up for consideration.

Senator Hutchins moved the adoption of House Concurrent Resolution 3, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 3.

Senate Concurrent Resolution 3

On motion of Senator Hutchins, Senate Concurrent Resolution 3, a resolution relating to the joint rules of the senate and house, was taken up for consideration.

Senator Junkins asked and received unanimous consent that amendment S—3004 filed by Senator Mann on January 14, 1985, to page 18 of the resolution, be withdrawn.

Senator Ritsema offered amendment S—3012 filed by him from the floor to page 7 of the resolution and moved its adoption.

Amendment S—3012 was adopted by a voice vote.

Senator Tieden offered amendment S—3008 filed by him on January 15, 1984, to page 11 of the resolution.

Senator Tieden asked and received unanimous consent that further action on amendment S—3008 be deferred.

Senator Hultman offered amendment S—3003 filed by Senators Junkins and Hultman on January 14, 1985, to page 15 of the resolution and moved its adoption.

Amendment S—3003 was adopted by a voice vote.

Senator Coleman offered amendment S—3006 filed by him on January 15, 1985, to page 16 of the resolution.

Senator Coleman asked and received unanimous consent that further action on amendment S—3006 be deferred.

Senator Hultman asked and received unanimous consent that amendment S—3009 be taken up for consideration.

Senator Hultman offered amendment S—3009 filed by him on January 15, 1985, to page 16 of the resolution.

Senator Hultman asked and received unanimous consent that further action on amendment S—3009 be deferred.

Senator Tieden moved the adoption of amendment S—3008 to page 11 of the resolution, previously deferred.

Amendment S—3008 was adopted by a voice vote.

Senator Holden offered amendment S—3011 filed by Senators Holden and Vande Hoef on January 15, 1985, to page 16 of the resolution and requested a division: lines 2 through 7 as division S—3011A and lines 8 and 9 as division S—3011B.

Senator Holden moved the adoption of division S—3011A, which motion prevailed by a voice vote.

Senator Holden asked and received unanimous consent that division S—3011B be withdrawn.

Senator Holden offered amendment S—3013 filed by him from the floor to pages 16 and 17 of the resolution and moved its adoption.

Amendment S—3013 was adopted by a voice vote.

Senator Tieden offered amendment S—3014 filed by him from the floor to page 17 of the resolution and moved its adoption.

Amendment S—3014 was adopted by a voice vote.

Senator Gentleman offered amendment S—3010 filed by her on January 15, 1985, to page 18 of the resolution and moved its adoption.

Amendment S—3010 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that action on Senate Concurrent Resolution 3 and amendments S—3006 and S—3009 be deferred.

INTRODUCTION OF BILLS

Senate File 43, by Taylor, a bill for an act relating to compulsory education for a child between seven and sixteen years of age and providing a penalty.

Read first time and passed on file.

Senate File 44, by Jensen, a bill for an act requiring a warning device be equipped in 1986 or newer model cars subject to penalty.

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 42 present, 8 absent and a quorum present.

BUSINESS PENDING

The Senate resumed consideration of Senate Concurrent Resolution 3 and amendments S—3006 and S—3009, previously deferred.

Senator Hultman offered amendment S—3015 filed by him from the floor to page 16 of the resolution and moved its adoption.

Amendment S—3015 was adopted by a voice vote.

The Chair ruled amendment S—3006 by Senator Coleman to page 16 of the resolution, previously deferred, out of order.

Senator Hultman withdrew amendment S—3009 to page 16 of the resolution, previously deferred.

Senator Junkins moved the adoption of Senate Concurrent Resolution 3 as amended, which motion prevailed by a voice vote and the resolution was adopted as amended.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the remainder of the morning on request of Senator Junkins.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 4, by committee on Agriculture, a concurrent resolution to declare an economic emergency, to request Congressional hearings on the crisis, to request federal legislation, and requesting the use of the powers of the state's executive branch.

Read first time and placed on calendar.

Senate Concurrent Resolution 5, by Ritsema, a concurrent resolution urging the Congress of the United States to amend the Constitution of the United States to repeal the electoral college procedures.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 45, by Bruner, a bill for an act relating to tax deductions and credits for certain dependent persons in the home.

Read first time and passed on file.

Senate File 46, 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.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate Concurrent Resolution 3** be immediately messaged to the House.

RECESS

On motion of Senator Junkins, the Senate recessed at 10:50 a.m., until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:40 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 47, by Mann, a bill for an act to strike the proceedings relating to the use of an adjudicator in the termination of a teacher's contract.

Read first time and passed on file.

Senate File 48, by Hutchins, a bill for an act striking the requirement that notaries public be bonded.

Read first time and passed on file.

Senate File 49, by Hutchins, a bill for an act relating to the annexation of a rural water district or association by a city.

Read first time and passed on file.

Senate File 50, by Hutchins, 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 51, by Hutchins, a bill for an act relating to the retirement allowance paid to beneficiaries of a deceased member of the peace officers' retirement system.

Read first time and passed on file.

Senate File 52, 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 53, by Rife, a bill for an act eliminating capital gains as a tax preference item in computing the federal minimum tax for purposes of determining the state minimum tax for individuals, estates or trusts and making the provision retroactive.

Read first time and passed on file.

Senate File 54, by Rife, a bill for an act relating to the issuance of prisoner of war plates.

Read first time and passed on file.

Senate File 55, by Tieden and Priebe, a bill for an act relating to the fur harvester, hunting, and fishing licenses.

Read first time and passed on file.

Senate File 56, by Small, a bill for an act authorizing cities and counties to establish an alternative fine for improper use of a handicapped parking space and imposing a penalty.

Read first time and passed on file.

Senate File 57, by Kinley and Rodgers, a bill for an act relating to a state lottery by providing for a state lottery operated by the state racing commission, a lottery director, 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 penalties, providing that revenue generated shall be distributed to the general fund, and providing for repeal of the Act.

Read first time and passed on file.

Senate File 58, by Lind, a bill for an act relating to the postconviction procedure Act.

Read first time and passed on file.

Senate File 59, by Ritsema, a bill for an act relating to the offense of using or exploding fireworks and providing a penalty.

Read first time and passed on file.

Senate File 60, by Holden, a bill for an act relating to the computation of the amount of social security or tier 1 railroad retirement benefits to be included in net income for purposes of the state individual income tax and making the provisions retroactive.

Read first time and passed on file.

Senate File 61, by Holden, a bill for an act relating to the assessment and valuation of structures on agricultural land.

Read first time and passed on file.

Senate File 62, by Holden, a bill for an act permitting a state bank to hold real property obtained by it upon the foreclosure of a mortgage held by it or under similar circumstances for five years unless the superintendent of banking orders the bank to sell or otherwise dispose of the property sooner.

Read first time and passed on file.

Senate File 63, by Readinger, a bill for an act relating to the approval of attorney fees by the department of job service.

Read first time and passed on file.

Senate File 64, 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.

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 for party caucuses.

The Senate resumed session, President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 65, by Miller of Des Moines, a bill for an act relating to the sale of pistols and revolvers and providing a penalty.

Read first time and passed on file.

Senate File 66, by Gettings, a bill for an act providing for refunds of registration fees for automobiles, motorcycles, and motor trucks which are sold or traded.

Read first time and passed on file.

Senate File 67, by Taylor, a bill for an act relating to the admissibility of evidence obtained as a result of an unlawful search or seizure.

Read first time and passed on file.

Senate File 68, by Bruner, a bill for an act allowing the Iowa state commerce commission to assess a party's intervention costs to a public utility in a regulatory proceeding.

Read first time and passed on file.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 16, 1985, 8:05 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: Hester.

Final Bill Action: SENATE CONCURRENT RESOLUTION 4, a resolution to declare an economic emergency, to request Congressional hearings on the crisis, to request federal legislation, and requesting the use of the powers of the state's executive branch.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Priebe, A. Miller, Soorholtz, Boswell, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:16 a.m.

COMMERCE

Convened: January 15, 1985, 8:04 a.m.

Members Present: Kinley, Chair; Holden, Ranking Member; Jensen, Nystrom, Priebe and Tieden.

Members Absent: Deluhery, Vice Chair; Gronstal, Hutchins and Palmer.

Other Committee Business: Adopted committee rules.

Adjourned: 8:09 a.m.

EDUCATION

Convened: January 15, 1985, 1:30 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy and Wells.

Members Absent: Taylor (excused).

Other Committee Business: Adopted committee rules.

Adjourned: 2:00 p.m.

HUMAN RESOURCES

Convened: January 15, 1985, 8:05 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Coleman, Hannon, Murphy, C. Miller, Vande Hoef and Gratias.

Members Absent: Carr, Readinger and Taylor.

Other Committee Business: Organizational meeting.

Adjourned: 8:10 a.m.

LOCAL GOVERNMENT

Convened: January 15, 1985, 2:32 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Lind, Neighbour, Priebe, Vande Hoef, Wells and Hall (arrived 2:35 p.m.).

Members Absent: none.

Other Committee Business: Adopted committee rules.

Adjourned: 2:45 p.m.

TRANSPORTATION

Convened: January 15, 1985, 1:30 p.m.

Members Present: Coleman, Chair; Drake, Ranking Member; Doyle, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: Hall, Vice Chair and Gettings.

Other Committee Business: Adopted committee rules.

Adjourned: 1:33 p.m.

WAYS AND MEANS

Convened: January 15, 1985, 2:05 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Mann, Readinger, Rodgers and Soorholtz.

Members Absent: Holt (excused).

Other Committee Business: Adopted committee rules and assigned subcommittees.

Adjourned: 2:10 p.m.

COMMUNICATIONS

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

HEALTH DATA COMMISSION

On January 15, 1985, pursuant to Sec. 145.6, Code 1983, a report of the activities of the Iowa Health Data Commission to the Iowa General Assembly.

DEPARTMENT OF HUMAN SERVICES

On January 15, 1985, a report of the Review of the feasibility and Cost of Establishing a Special Class of Intermediate Care Facilities Designed to Serve Brain Injured Persons or Other Persons with Special Disabilities, pursuant to Chapter 1310, Sec. 5.(7), 1984 Acts of the Seventieth General Assembly.

On January 11, 1985, copy of the study by the Department of Human Services on how to recruit and retain psychiatrists at the Iowa Mental Health Institute, pursuant to Chapter 1306, Sec. 2(1), 1984 Acts of the Seventieth General Assembly.

On October 2, 1984, a copy of the report "A Study of Iowa's Disabled Population", pursuant to Chapter 1306, Sec. 10, 1984 Acts of the Seventieth General Assembly.

On July 12, 1984, a copy of the annual report of the Iowa Department of Human Services, pursuant to Sec. 217.21, Code 1983.

BUREAU OF LABOR

On January 3, 1985, a copy of the biennial report of the Iowa Bureau of Labor.

IOWA RAILWAY FINANCE AUTHORITY

On January 2, 1985, a copy of the annual report of the Iowa Railway Finance Authority pursuant to Sec. 307B.8(6), Code 1983.

DEPARTMENT OF PUBLIC SAFETY

On January 15, 1985, a report of the Domestic Abuse Data from the Iowa Law Enforcement Agencies pursuant to Chapter 1258, Sec. 2, Acts of the 1984 Session of the Seventieth General Assembly.

DEPARTMENT OF TRANSPORTATION

On January 2, 1985, a copy of the 1985-1990 Transportation Improvement Program approved by the Transportation Commission on December 18, 1984, pursuant to Sec. 307A.2(12), Code 1983.

On December 7, 1984, a copy of the 1984 Iowa Airport Sufficiency Ratings, pursuant to Sec. 328, Code 1983.

On July 5, 1984, the Iowa Transportation Commission reported that at their June 19, 1984, meeting they adopted their Fiscal Year 1985 Iowa Transportation Policy in accordance with Sec. 307.10(1), Code 1983.

On July 3, 1984, a copy of the 1984 Iowa Primary Road Sufficiency Log, pursuant to Sec. 307A.2(12), Code 1983.

DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT

On January 15, 1985, a copy of the 1985 State Water Plan, pursuant to Sec. 455B.263, Code 1983.

On January 8, 1985, the first annual report from the Department of Water, Air and Waste Management, pursuant to Sec. 455B.425 and Sec. 455B.427, Code 1983.

On October 31, 1984, a copy of the 1983 Hazardous Waste Biennial Report for Iowa to the U.S. Environmental Protection Agency.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	25	Human Resources
S. F.	26	Human Resources
S. F.	27	State Government
S. F.	28	Ways and Means
S. F.	29	Education
S. F.	30	Natural Resources
S. F.	31	Transportation
S. F.	32	Agriculture
S. F.	33	Ways and Means
S. F.	34	State Government
S. F.	35	Agriculture
S. F.	36	Ways and Means
S. F.	37	Commerce
S. F.	38	Agriculture
S. F.	39	Judiciary
S. F.	40	State Government
S. F.	41	Ways and Means
S. F.	42	Transportation

SENATE STUDY BILL

S.S.B. 14 Commerce

An act relating to the reorganization of bank affiliates.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty students from Hubbell Elementary School, Des Moines, Iowa, accompanied by Shirley Brunk. Senator Gentleman.

LEGISLATIVE PHYSICIAN FOR THE DAY

Brian J. Heineman, D.O., Story City, Iowa.

AMENDMENTS FILED

S—3012	S. C. R.	3	Douglas Ritsema
S—3013	S. C. R.	3	Edgar H. Holden
S—3014	S. C. R.	3	Dale L. Tieden
S—3015	S. C. R.	3	Calvin O. Hultman

ADJOURNMENT

On motion to Senator Junkins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Thursday, January 17, 1985.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 17, 1985

The Senate met in regular session at 9:03 a.m., President pro tempore Rodgers presiding.

Prayer was offered by the Honorable Leonard Boswell, member of the Senate from Decatur County, Davis City, Iowa.

The Journal of Wednesday, January 16, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 69, by Lind, a bill for an act relating to the inclusion of family names and consanguinity in the description of unfair or discriminatory practices specified under the civil rights commission.

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.

The Senate stood at ease for the purpose of party caucuses.

The Senate resumed session, President pro tempore Rodgers 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 2, 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 2, duly adopted, the joint convention was called to order at 9:50 a.m., President pro tempore Rodgers 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 pro tempore Rodgers 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 escort Governor Terry E. Branstad to the State of the Judiciary Department Message.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Mann and Corning, on the part of the Senate, and Representatives Rosenberg and McKean, 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 Doyle, Miller of Des Moines and Ritsema, on the part of the Senate, and Representatives Jay, Chapman and McIntee, on the part of the House.

State officials Thomas J. Miller, Attorney General; Michael L. Fitzgerald, Treasurer of State; and Richard D. Johnson, Auditor of State, were escorted into the House chamber.

The Justices of the Supreme Court, Judges of the Court of Appeals and Chief Judges of the eight Iowa Judicial Districts were escorted into the House chamber.

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

The committee appointed waited upon Chief Justice Reynoldson and escorted him to the speaker's station.

President pro tempore Rodgers 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, JUSTICES AND JUDGES, AND FELLOW IOWANS:

Your statutory request that brings us here for the seventh time to report on the condition of Iowa's judicial branch of government is not viewed as a duty, but a high honor and a rich opportunity to visit with both new and long-standing friends. We raise and pass another landmark today. With the understanding concurrence of Governor Branstad, we submit our judicial budget request, contained in a separate Addendum to our written message, directly to this legislature, without the executive branch first reviewing it. We consider this courtesy by the legislative and executive branches an affirmation of the commitment we all share to the concept of three separate and coequal branches of government.

There is a temptation in presenting these messages, accounting as we should for our stewardship, to dwell on our appreciation for the forward-looking efforts of past General Assemblies. The tendency is great because the Iowa Legislature has been great, and surely as public spirited and unselfish as any in the nation.

You will recall that as you grappled with the court reorganization and funding bill now incorporated in Iowa Code chapter 602, I cautioned you that court reform would not necessarily invoke thunderous applause or garner landslide votes. In view of favorable media and public comments, that prediction may have been unwarranted. It is nonetheless true that you acted strictly in the public interest and continued down that progressive path with the necessary funding.

Your leadership is all the more impressive because it has come at a time when the courts are still taking criticism for the size and complexity of our modern case load. The truth is that the staggering work load of the courts is largely dictated

by factors beyond our control. Today many of the old ties and community restraints are gone: Too often we are a massed collection of strangers, who want to remain strangers but who nonetheless are totally dependent upon each other for every basic necessity. Tensions mount and litigation follows, now frequently involving multiple parties.

The supreme court decisions in the early Iowa Reports unfold a nostalgic and fascinating history. Smith sues Jones on a simple promissory note. A train ends the blissful career of a prize bull. A plaintiff is injured by a team of runaway horses, frightened by a newfangled automobile. Today the advances of science and technology provide us a new and insidious means of harming each other, and create strange and complex legal issues. Although we still struggle with many recurring questions, the frontiers of the law are advancing with blinding speed. Today courts, like legislatures, confront questions concerning the contaminations of our environment, the pollution of our ground water, the genetic engineering that results in new forms of life, the random conception of babies in a dish, and the withholding of life support systems for the terminally ill. Small wonder that our decisions are becoming more numerous and more complex.

Your effort to strengthen Iowa's justice system must have been based on your faith that people would continue to use Iowa courtrooms as the place to resolve their differences and answer their concerns. While civil case filings above the small claims level are down slightly from the historic peak we reached in 1981, the combined district court civil and criminal filings increased 57 percent in the ten-year period from 1974 to 1984. In the same ten-year period appeals have nearly doubled to a new high in 1984, and the work load for each appellate justice or judge has climbed nearly 20 percent.

Despite this increase, we cannot, and should not, ignore those to whom the courtroom doors in civil cases have long been closed. In our 1982 message we noted that the unrepresented poor have access to the courts in the same manner that early Christians in the Roman arenas had access to the lions. Commendably, The Iowa State Bar Association recently proposed a plan to pool small, idle trust funds, and utilize the interest, otherwise lost, to provide legal services to the poor. Last month the supreme court adopted that proposal, with slight modifications, and the plan has been set in motion.

Some might be alarmed by our swelling tide of court litigation. We view it as a healthy sign that a remarkably civilized society is finding a way to resolve the differences that are bound to arise among people who truly are free. If our major disputes are not to be resolved in the calm and orderly atmosphere of the courtroom, then where? And how?

Perhaps in times past, before judicial services were so widely available, the need for those services was more apparent. The pioneers who set up our government not only established the judiciary as a separate branch of government, but they also created a seat of government in each county, centering it in what they called, not a government house, but a courthouse.

We are a litigious society. We always have been and so long as we are free, will always continue to be. Surely all of our joint planning must be designed to meet the long-range requirements of Iowans for effective, efficient, and just court services.

Today we report that the state of the Iowa judiciary is good and, with the implementation of chapter 602 state funding is getting better. Much credit for the improvement belongs to Iowa's hardworking district judges and district associate judges. In 1984 they disposed of over 90,000 civil and criminal cases. They handled 16 percent more civil and criminal cases than they did five years ago and 41 percent more cases than in 1974—the first full year after unification of the state court system. We feel justified pride in the distinguished Iowans who have chosen a judicial career. Usually appointments are taken at financial sacrifice to the judge and to the judge's family as well.

Pursuant to chapter 602, we are in transition to state funding and state monitoring of the Iowa judicial system. The state assumed the expense of jury fees October 1, 1983, witness fees and court reports July 1, 1984, and bailiffs (now called "court attendants") January 1, 1985. At the same time, the state has received from the counties an additional 20 percent each year of court-collected revenues. Bringing these staff components into the state judicial system as state employees makes good, Iowa, common horse sense. We believe this "new family" is healthy and happy.

Although there are inevitable growing pains, we have committed our continuing efforts to positive, open communications with, and support of, these new employees. In this we have had invaluable advice on policy decisions from knowledgeable court personnel in the field. These include those who serve on the Supreme Court's Advisory Committee on Court Reporters, Advisory Committee on the Administration of Juvenile Court Offices, Advisory Committee on the Administration of District Court Clerks' Offices, and the Advisory Committee on Judicial Information Systems.

We have worked hard with the juvenile court officers in the anticipation of their becoming state employees on July 1 of this year. We look forward to welcoming the final personnel component, the district court clerks and their staffs, on July 1, 1986. Each day demonstrates more need for all these units to be functioning as a team. For just one example, last December 24 a number of the district court clerks' offices were closed, observing a county holiday, while the district court judges—state officers all—were attempting to hold court.

We share the legislature's basic commitment to the taxpayers, to the counties and to these court components: We must maintain decentralized administration of this restructured court system. A walk through our administrative offices here in the Capitol Building will show a strong but lean staff, for although policy is made at the state level pursuant to constitutional mandate, most of the management and administrative functions remain where they rightly belong: with the eight judicial districts.

For this reason, it is critical that judicial districts be provided with adequate administrative staff to carry out district responsibilities. Many of you will recall that when the state assumed the expense of the district court administrators' offices in 1981, it cut the operating budgets of those offices by 40 percent. The system still suffers from that shortfall, particularly in the Fifth and Seventh Judicial Districts. The key to meeting financial and personnel requirements in transferring hundreds of employees from county to state payroll is a budget officer for each of the eight districts. The budget we submit today requests less than you originally projected for state court funding administration expense, but it does include funding for four district budget officers to join the four already functioning. We make no request for additional assistance in the office of the state court administrator, William O'Brien, although his duties, of course, have multiplied.

The requested budget we file today reflects as top priority the continued implementation of the court-restructuring legislation. Our requests are pared to the core. We believe we are the first full state supreme court ever to sit through days of budget submissions and reviews. We cut proposed funding for some services we recognized were truly needed, slashing \$3,000,000 in fiscal year 1986, and \$2,400,000 in fiscal year 1987. We did so in recognition of the severe revenue concerns you face. We thought long and hard about the priorities you will find reflected in our proposals, and we are convinced they are sound.

Public administration in the '80s requires effective management of information and communications. You have recognized the arrival of the age of computerized technology as a management tool. To follow your lead and to get the most from available tax dollars, we have requested funds for a statewide study of current and future computer capability, and the requirements of a state computerized judicial information system. We are faced with a compelling need to implement the use of computers as our capabilities necessarily are expanded to schedule cases, generate jury lists, process child support payments, compute case load statistics, supplement current research practices, speed the production of jury instructions and legal opinions, and perform various recordkeeping and accounting procedures in finance and personnel administration. Without a systematic state plan to achieve efficiencies, large sums of public money may be squandered in the purchase and development of incompatible hardware and programs.

The need for initial and continuing training of professional employees and support staff is a good investment that is recognized universally in both public and private sectors. In recognition of the fact that good judges are made, not born, this budget incorporates funds for continuing annual judicial training sessions. These sessions are designed not only to discuss new developments in substantive and procedural law but to assist judges and magistrates in developing and utilizing the attributes and traits necessary for evenhanded justice. Last year our judicial training included child custody, child sexual abuse, children in jail, victim rights, utility rates, debtor-creditor problems, comparative negligence, computers and modern technology, mediation and judicial writing. This spring juvenile judges and referees will attend a special conference on permanency planning for children, and another workshop will examine the social, economic and legal issues associated with drunken driving.

Training programs and materials are also integral functions of our judicial education and planning office, under the capable guidance of Dr. Jerry Beatty. Thus our requested supreme court appropriations include basic funding to train both the current court-supporting staff and those coming on line during the biennium.

Although the state's shouldering of the state judicial system cost will lift a great burden from the farmers and other real property owners who traditionally have paid 75 percent of this expense, the impact on the state budget will be relatively small. This year the total judicial branch appropriation comprises only 1 percent of the total state appropriations of approximately \$2,289,000,000. We estimate that in fiscal year 1988 when court reorganization is fully implemented and finally implemented by state assumption of indigent defense costs, the judicial branch share of the total state budget will be approximately 2.7 percent. After allowances for court-collected revenues diverted to the state, it will be approximately 1.6 percent.

We must not waiver in our joint commitments toward state court funding, decentralized administration, and an equitable allocation of resources for the judicial system. It is an opportunity for Iowa citizens that should not be jettisoned in the politics of the moment or the frugalities of shortsightedness. Governor Branstad continues his steadfast support of this legislation, and has indicated he will provide for its implementation in his budget. We are confident of your continued wisdom in this clear public interest.

This is an appropriate time to recognize the chief judges of our eight judicial districts, all of whom are here today. Will you gentlemen please stand up for a moment so everyone can see who you are? It has been a privilege to work with this dedicated group in the judicial council. They tackle tough and challenging problems in court administration. Along with countless other tasks, they are studying the troublesome area of attorney compensation for the defense of indigents in criminal cases, attempting to devise conservative but reasonable statewide standards before the state takes over that obligation in fiscal year 1988. Last June the council launched a study of case processing in Iowa's courts to determine whether we meet the national time standards recently formulated by the National Conference of State Court Administrators, and endorsed by the National Conference of Chief Justices. Despite our all-out efforts, and the assistance you have provided over the years with district court law clerks and administrators, more than one-half of our dissolution cases, and one-fourth of all other cases, do not meet the recommended standards. Although further case-processing efficiencies will be achieved when chapter 602 brings all of the components of Iowa's justice system together, the question of additional judges, which I have raised over the years, remains.

The present statutory formula for adding judges as case load and population builds seems to lack credibility. Because of past legislative freezes on the operation of that statute, Iowa now has 26 fewer judges than called for by the formula. We now propose that a joint court-legislative committee be formed and charged with the responsibility of reexamining the issues of numbers and allocation of judicial officers, taking into account the support you have furnished and the present

judicial needs of Iowa citizens. This committee might utilize new and helpful national studies in which the National Conference of State Legislatures has played a role.

Our past joint studies have increased the efficiency of the judicial branch and made it more responsive to the need of Iowans for judicial services. In midpassage of a year as President of the Conference of Chief Justices, I have compared notes with my judicial colleagues across this nation. Always I return to Iowa with a sense of pride in Iowa's legislative and executive branches and their sensitive cooperation in building a better justice system. We look forward to working with you on the study we now propose.

Two years ago we undertook together a task of vast and lasting significance. Few generations of public leaders are given the unique responsibility and opportunity to reconstruct one of the three branches of state government. The reconstruction we began with such high hopes is now well underway. A solid foundation is in place. With the blueprints you drafted in chapter 602, we have built on that foundation and we have kept faith with you and the public by the efforts we have described this morning.

In all of this, you have looked beyond the next election to the next generation. We salute you, for the new judicial branch of Iowa government will one day stand as a monument to your unselfish vision.

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.

Representative Norland moved that the joint convention be dissolved, which motion prevailed by a voice vote.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Rodgers presiding.

INTRODUCTION OF BILL

Senate File 70, by Hall, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:40 a.m., until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:40 p.m., President pro tempore Rodgers presiding.

INTRODUCTION OF BILLS

Senate File 71, by Holden, a bill for an act relating to the service of process in civil actions and proceedings by persons other than law enforcement officers.

Read first time and passed on file.

Senate File 72, by Lind, 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.

Read first time and passed on file.

QUORUM CALL

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

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

The Senate stood at ease for the purpose of a party caucus.

The Senate resumed session, President pro tempore Rodgers 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 RESOLUTION
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 4.

Senate Concurrent Resolution 4

On motion of Senator Priebe, Senate Concurrent Resolution 4, a concurrent resolution to declare an economic emergency, to request Congressional hearings on the crisis, to request federal legislation, and requesting the use of the powers of the state's executive branch, was taken up for consideration.

Senator Waldstein offered amendment S—3019 filed by him from the floor to page 2 of the resolution and moved its adoption.

Amendment S—3019 was adopted by a voice vote.

Senator Jensen withdrew amendment S—3016 filed by him from the floor to page 3 of the resolution.

Senator Junkins asked and received unanimous consent to withdraw amendment S—3018 filed by Senators Junkins and Priebe from the floor to page 3 of the resolution.

Senator Priebe offered amendment S—3020 filed by Senators Priebe and Junkins from the floor to page 3 of the resolution and moved its adoption.

Amendment S—3020 was adopted by a voice vote.

Senator Priebe moved the adoption of Senate Concurrent Resolution 4, as amended.

A record roll call was requested.

On the question "Shall the resolution as amended be adopted?" (S.C.R. 4) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall

Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Gentleman	Holden	Ritsema
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Absent or not voting, 1:

Nystrom

The motion prevailed and the resolution as amended was adopted.

Senator Junkins asked and received unanimous consent that **Senate Concurrent Resolution 4** be immediately messaged to the House.

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 17, 1985, amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, a concurrent resolution providing for the joint rules of the seventy-first general assembly.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 4

Transportation
Coleman, Chair
Doyle
Jensen

SENATE FILE 7

Transportation
Hall, Chair
A. Miller
Jensen

SENATE FILE 11

Natural Resources
Hall, Chair
Schwengels
Hannon

SENATE FILE 17

Education
Lind, Chair
Murphy
Hannon

SENATE FILE 22

Transportation
Kinley, Chair
Goodwin
Nystrom

SENATE FILE 26

Human Resources
Wells, Chair
Bruner
Gentleman
C. Miller
Vande Hoef

SSB 1

Education
Colton, Chair
Brown
Corning

SENATE FILE 5

Education
Lind, Chair
Brown
Corning

SENATE FILE 9

Transportation
A. Miller, Chair
Nystrom
Doyle

SENATE FILE 15

Natural Resources
Priebe, Chair
Neighbour
Tieden

SENATE FILE 20

Education
Lind, Chair
Taylor
Hannon

SENATE FILE 25

Human Resources
Wells, Chair
Bruner
Gentleman
C. Miller
Vande Hoef

SENATE FILE 38

Agriculture
Soorholtz, Chair
Boswell
Husak
A. Miller
Waldstein

SSB 2

Education
Brown, Chair
Hannon
Taylor

SSB 3

Education
Brown, Chair
Gratias
Wells

SSB 4

Education
Murphy, Chair
Hannon
Corning

SSB 5

Education
Horn, Chair
Wells
Corning

SSB 6

Education
Gratias, Chair
Murphy
Hannon

SSB 7

Education
Corning, Chair
Murphy
Wells

SSB 8

Education
Colton, Chair
Gratias
Murphy

SSB 10

Education
Taylor, Chair
Hannon
Horn

SSB 11

Education
Hannon, Chair
Lind
Corning

SSB 12

Education
Gratias, Chair
Colton
Brown

SSB 13

Education
Colton, Chair
Gratias
Horn

SSB 14

Commerce
Holden, Chair
Hutchins
Gronstal

SENATE STUDY BILLS

S.S.B. 15 State Government

Amendment to the Constitution of the State of Iowa relating to the selection of the governor and lieutenant governor as a unit.

S.S.B. 16 Ways and Means

An Act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive.

S.S.B. 17 State Government

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.

REPORTS OF COMMITTEE MEETINGS**COMMERCE**

Convened: January 16, 1985, 10:50 a.m.

Members Present: Welsh, Chair; Small, Vice Chair (arrived 10:53 a.m.); Tieden, Ranking Member; Horn, C. Miller, Dieleman (arrived 10:55 a.m.); Gettings, Gronstal, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind.

Members Absent: Deluhery and Colton.

Other Committee Business: Adopted committee rules.

Adjourned: 10:56 a.m.

EDUCATION

Convened: January 16, 1985, 2:32 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratiias, Ranking Member; Hannon, Colton, Murphy, Wells, Corning, Lind and Taylor.

Members Absent: none.

Other Committee Business: Approved SSBs 1, 2, 3 and 4 as committee bills; assigned bills to subcommittees.

Adjourned: 3:17 p.m.

HUMAN RESOURCES

Convened: January 16, 1985, 1:36 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, C. Miller, Readinger and Vande Hoef.

Members Absent: Gratiias and Taylor.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:38 p.m.

NATURAL RESOURCES

Convened: January 17, 1985, 8:15 a.m.

Members Present: Hall, Chair; Schwengels, Ranking Member; Doyle, Goodwin, Grafias, Husak, Neighbour and Rodgers.

Members Absent: Priebe, Vice Chair; Hannon, Tieden and Hester.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 8:25 a.m.

TRANSPORTATION

Convened: January 16, 1985, 2:35 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Gettings, Goodwin, Jensen and A. Miller.

Members Absent: Doyle, Kinley and Nystrom (excused).

Other Committee Business: Assigned bills to subcommittees; discussed refunds of license plate fees.

Adjourned: 2:45 p.m.

AMENDMENTS FILED

S-3016	S. C. R.	4	John W. Jensen
S-3017	S. F.	19	Bill Hutchins
S-3018	S. C. R.	4	Lowell Junkins Berl E. Priebe
S-3019	S. C. R.	4	Arne Waldstein
S-3020	S. C. R.	4	Berl E. Priebe Lowell L. Junkins
S-3021	S. C. R.	4	House amendment

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:55 p.m., until 10:00 a.m., Monday, January 21, 1985.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 21, 1985

The Senate met in regular session at 10:16 a.m., President Anderson presiding.

Prayer was offered by the Reverend Perry De Groot, pastor of the Bethany Reformed Church, Des Moines, Iowa.

The Journal of Thursday, January 17, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the day on request of Senator Junkins.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Ma. 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:

May 1, 1984

Bass Van Gilst, Oskaloosa, Mahaska County, Iowa, to the State Board of Regents pursuant to Section 262.2, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1989.

May 30, 1984

To the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1983 Code of Iowa, for three-year terms beginning May 1, 1984, and ending April 30, 1987:

Jeffrey D. Benson, Ames, Story County, Iowa; Cecelia A. Smith Burnett, Ames, Story County, Iowa; and Steve A. Schroeder, Des Moines, Polk County, Iowa.

May 31, 1984

Eldon E. Leonard, Ankeny, Polk County, Iowa, to the Iowa Board of Parole pursuant to Section 904.2, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

June 1, 1984

Richard G. Freeman, Des Moines, Polk County, Iowa, as Director of the Iowa Department of Job Service pursuant to Section 96.10, 1983 Code of Iowa, for a term beginning immediately and serving at the pleasure of the Governor.

June 5, 1984

Colleen M. Farmer, Davenport, Scott County, Iowa, to the State Board of Barber Examiners pursuant to Section 147.14(1), 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

June 14, 1984

Cynthia B. Lidgett, Des Moines, Polk County, Iowa, to the Jobs Commission pursuant to Chapter 207.2, 1983 Acts of the Seventieth General Assembly, for an unexpired term beginning immediately and ending June 30, 1985.

Sandra A. Yates, Ottumwa, Wapello County, Iowa, to the State Board of Nursing Examiners pursuant to Section 147.14(3), 1983 Code of Iowa, for a three-year term beginning May 1, 1984, and ending April 30, 1987.

June 26, 1984

William H. Greiner, Ankeny, Polk County, Iowa, as Executive Director of the Iowa Family Farm Development Authority pursuant to Chapter 1236, 1984 Acts of the Seventieth General Assembly, for a term beginning July 1, 1984, and serving at the pleasure of the Governor.

June 27, 1984

Elizabeth J. Johnson, Chariton, Lucas County, Iowa, to the Assessor Education Commission pursuant to Section 441.8, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

Carol A. Morris, Fredericksburg, Chickasaw County, Iowa, to the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.14(10), 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

June 28, 1984

Luella S. McCabe, Worthington, Dubuque County, Iowa, to the State Board of Dental Examiners pursuant to Section 147.14(4), 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

June 29, 1984

To the Board of Social Work Examiners pursuant to Chapter 1075, 1984 Acts of the Seventieth General Assembly:

Alyce Ann Clasen, Council Bluffs, Pottawattamie County, Iowa, for a two-year term beginning May 1, 1984, and ending April 30, 1986.

Francis Millard Hellert, Dubuque, Dubuque County, Iowa, for a three-year term beginning May 1, 1984, and ending April 30, 1987.

Leonard C. Larsen, Urbandale, Polk County, Iowa, for a three-year term beginning May 1, 1984, and ending April 30, 1987.

Virginia J. Poffenberger, Perry, Dallas County, Iowa, for a one-year term beginning May 1, 1984, and ending April 30, 1985.

Judith Kaye Rinehart, Bondurant, Polk County, Iowa, for a two-year term beginning May 1, 1984, and ending April 30, 1986.

June 30, 1984

To the State Foster Care Review Board pursuant to Chapter 1279, 1984 Acts of the Seventieth General Assembly:

Ruth M. DeVries, West Des Moines, Polk County, Iowa, for a three-year term beginning July 1, 1984, and ending April 30, 1987.

Jacqueline Mayfield, Coralville, Johnson County, Iowa, for a one-year term beginning July 1, 1984, and ending April 30, 1985.

James G. McCullagh, Cedar Falls, Black Hawk County, Iowa, for a three-year term beginning July 1, 1984, and ending April 30, 1987.

H. May Roberts, Menlo, Guthrie County, Iowa, for a three-year term beginning July 1, 1984, and ending April 30, 1987.

Harriet Vande Hoef, Harris, Osceola County, Iowa, for a two-year term beginning July 1, 1984, and ending April 30, 1986.

Mark Wolraich, Iowa City, Johnson County, Iowa, for a one-year term beginning July 1, 1984, and ending April 30, 1985.

Carol A. Worlan, Des Moines, Polk County, Iowa, for a two-year term beginning July 1, 1984, and ending April 30, 1986.

Edward C. Dinovo, Council Bluffs, Pottawattamie County, Iowa, to the Law Enforcement Academy Council pursuant to Section 80B.6, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

September 19, 1984

Kevin D. Schwab, Grundy Center, Grundy County, Iowa, to the City Development Board pursuant to Section 368.9, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

Karen Ann Voecks, West Des Moines, Polk County, Iowa, to the State Board of Barber Examiners pursuant to Section 147.14(1), 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

December 14, 1984

Ann B. Thompson, Des Moines, Polk County, Iowa, as Director of the Commission on Children, Youth, and Families pursuant to Chapter 1076, 1984 Acts of the Seventieth General Assembly, for a term beginning July 1, 1984, and serving at the pleasure of the Governor.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

INTRODUCTION OF BILLS

Senate File 73, by Vande Hoef, a bill for an act to allow a credit for the unexpired portion of the registration fees on vehicles traded, toward the registration fee on a newly-acquired vehicle.

Read first time and passed on file.

Senate File 74, by Vande Hoef, a bill for an act exempting from the state sales, services and use tax the gross receipts from the sale of intake pipe used as part of a terrace system to control soil erosion.

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

Senate File 75, by Vande Hoef, a bill for an act relating to the repair of private drainage ways.

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

Senate File 76, by Nystrom and Taylor, a bill for an act establishing the penalties of death or life imprisonment for certain offenses and prescribing procedures for carrying out the sentence.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 10:30 a.m., until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:40 a.m., Senator Husak 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.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 3

Senator Hutchins called up for consideration Senate Concurrent Resolution 3, a resolution relating to the joint rules of the senate and house, amended by the House, and moved that the Senate concur in House amendment S—3021 filed January 17, 1985.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

Senator Junkins asked and received unanimous consent that Senate Concurrent Resolution 3 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 77, by Committee on Education, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

Read first time and placed on calendar.

Senate File 78, by Committee on Education, a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education.

Read first time and placed on calendar.

Senate File 79, by Committee on Education, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

Read first time and placed on calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:50 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 80, by Readinger and Gronstal, a bill for an act relating to the imposition of a local option income surtax, vehicle tax, sales and services tax, and payroll tax by a city or county and providing for penalties.

Read first time and passed on file.

Senate File 81, by Priebe, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle.

Read first time and passed on file.

Senate File 82, by Priebe, a bill for an act allowing the owner of cattle condemned as reactors to a test for brucellosis to request a retest at state expense.

Read first time and passed on file.

Senate File 83, by Nystrom, a bill for an act to require identification of contributions made to a candidate by the candidate's relatives or employees.

Read first time and passed on file.

APPENDIX**COMMUNICATION**

January 2, 1985

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 1984.

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

Sincerely,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

The following were received from the State Appeal Board pursuant to Chapter 25A:

- a. General Tort Claims approved by State Appeal Board, 1984.
- b. General Claims denied by the State Appeal Board, submitted to the 71st General Assembly.
- c. Highway Tort Claims approved by State Appeal Board, 1984.
- d. Highway Tort Claims Judgments and Settlements at or before Trial, 1984.

The foregoing items have been filed with the Claims Subcommittee of the Appropriations Committee for the Senate.

COMMUNICATIONS

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

OFFICE FOR PLANNING AND PROGRAMMING

On January 18, 1985, a copy of the Annual Report of the Job Training Partnership Program in Iowa for the period October 1, 1983 through June 30, 1984.

STATE OF NEBRASKA

A copy of Legislative Resolution No. 2, adopted by the Nebraska Unicameral Legislature on January 11, 1985, regarding the economic conditions of the agriculture industry, stating that the agricultural policy for the nation is determined in Washington, D.C. and issuing an invitation to members of the Iowa Legislature to report to Washington D.C. the severity of agriculture's problems.

BOARD OF REGENTS

On January 18, 1985, a copy of the State Board of Regents Ten-Year Building Program for the years 1985-1995, pursuant to Sec. 262A.3, Code of Iowa.

SENATE STUDY BILLS

S.S.B. 18 Education

An act relating to the base compensation of teachers for the school year beginning July 1, 1986.

S.S.B. 19 Labor and Industrial Relations

An act allowing employees to choose the care given under workers' compensation medical benefits.

S.S.B. 20 Labor and Industrial Relations

An act relating to the denial of liability by an employer with notice of the occurrence of an injury and claim for workers' compensation benefits.

S.S.B. 21 State Government

An act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

S.S.B. 22 Ways and Means

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.

S.S.B. 23 Ways and Means

An act relating to a state lottery by providing for a state lottery operated by the state racing commission, a lottery director, 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 penalties, providing that revenue generated shall be distributed to the general fund, and providing for repeal of the Act.

S.S.B. 24 Judiciary

An act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years.

S.S.B. 25 Judiciary

An act relating to the authorization of contempt powers for juvenile court referees and providing penalties.

S.S.B. 26 Judiciary

An act relating to the appointment, terms, retention and qualifications of magistrates.

S.S.B. 27 Judiciary

An act modifying certain penalties relating to the operation of a motor vehicle.

S.S.B. 28 Judiciary

An act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter

601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

S.S.B. 29 Human Resources

An act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long term care and home health care.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	5	State Government
S. F.	43	Education
S. F.	44	Transportation
S. F.	45	Ways and Means
S. F.	46	Judiciary
S. F.	47	Labor
S. F.	48	State Government
S. F.	49	Local Government
S. F.	50	Ways and Means
S. F.	51	State Government
S. F.	52	State Government
S. F.	53	Ways and Means
S. F.	54	Transportation
S. F.	55	Natural Resources
S. F.	56	Local Government
S. F.	57	Ways and Means
S. F.	58	Judiciary
S. F.	59	Judiciary
S. F.	60	Ways and Means
S. F.	61	Ways and Means
S. F.	62	Commerce
S. F.	63	Labor
S. F.	64	Transportation
S. F.	65	Judiciary

S. F.	66	Transportation
S. F.	67	Judiciary
S. F.	68	Commerce
S. F.	69	Judiciary
S. F.	70	Judiciary
S. F.	71	Judiciary
S. F.	72	Transportation

FURTHER
REPORT OF COMMITTEE MEETING

EDUCATION*

* A previous report of this meeting was recorded on page 84 of the Senate Journal.

Final Bill Action: SENATE FILE 77 (SSB 2), a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Hannon, Colton, Murphy, Wells, Corning, Lind and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 78 (SSB 4), a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Hannon, Colton, Murphy, Wells, Corning, Lind and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 79 (SSB 3), a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Hannon, Colton, Murphy, Wells, Corning, Lind and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE AND COMMERCE (JOINT MEETING)

Convened: January 17, 1985, 1:20 p.m.

Agriculture Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Husak, Hutchins, Palmer, Boswell, Hester; Waldstein and Vande Hoef.

Commerce Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Palmer, Priebe and Tieden.

Agriculture Members Absent: none.

Commerce Members Absent: Nystrom.

Other Committee Business: Discussed Governor Branstad's plan for farm recovery.

Adjourned: 2:30 p.m.

NATURAL RESOURCES

Convened: January 21, 1985, 3:30 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Neighbour, Rodgers and Tieden.

Members Absent: none.

Final Bill Action: SENATE FILE 15, a bill for an act relating to the designation of the Grand River.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hall, Priebe, Schwengels, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Neighbour, Rodgers and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bill to subcommittee.

Adjourned: 3:36 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Junkins from one thousand eight hundred fifty-six residents of Iowa opposing state lottery legislation.

Senator Taylor from nine hundred seventy-nine residents of Senate District 9 favoring legislation enacting a state motorcycle helmet law.

Senator Taylor from six hundred seventy-one residents of Senate District 9 requesting the widening, resurfacing or reconstruction of State Highway 72 from U.S. Highway 69 through Dows, Iowa.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dennis J. Walter, M.D., Des Moines, Iowa.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:44 p.m., until 9:00 a.m., Tuesday, January 22, 1985.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 22, 1985

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

Prayer was offered by the Reverend Arthur Becker, Consultant to the Bishop of the Episcopal Diocese of Iowa, Des Moines, Iowa.

The Journal of Monday, January 21, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bruner for the day on request of Senator Hutchins; Senator Waldstein for the day on request of Senator Jensen.

INTRODUCTION OF BILL

Senate File 84, by Hall, Welsh, Jensen, Schwengels, Husak and Priebe, a bill for an act relating to the regulation of firearms by a political subdivision.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:16 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:40 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 January 17, 1985, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 1, a resolution relating to distribution of printed legislative materials.

ALSO: That the House has on January 17, 1985, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, a resolution providing for compensation of officers and employees for the seventy-first general assembly.

ALSO: That the House, on January 22, 1985, insisted on its amendment to **Senate Concurrent Resolution 3**, providing for the joint rules of the Seventy-first General Assembly, and that the members of the conference committee on the part of the House are; The Representative from Scott, Mr. Fey, Chair; the Representative from Polk, Mr. Connors; the Representative from Boone, Mrs. Lonergan; the Representative from Polk, Mrs. Carpenter; and the Representative from Mills, Mr. Harbor.

INTRODUCTION OF BILLS

Senate File 85, by Mann, a bill for an act relating to the application for and issuance of search warrants.

Read first time and passed on file.

Senate File 86, by Small, a bill for an act relating to registration fees on motor vehicles by allowing certain credits on registration fees for vehicles sold or traded either within or without the state, and by providing for a refund of registration fees for certain motor vehicles which have been destroyed or junked on or after January 1, 1983.

Read first time and passed on file.

Senate File 87, by Rodgers, a bill for an act exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale.

Read first time and passed on file.

POINT OF ORDER

Senator Hultman raised the point of order that **Senate File 79** should be referred to the committee on State Government under Senate Rule 37.

The Chair ruled the point well taken and **Senate File 79** was referred from the Regular Calendar to the committee on **State Government** under Senate Rule 37.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate Concurrent Resolution 3** on the part of the Senate: Senators Junkins, Chair; Hutchins, Gettings, Hultman and Jensen.

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.

APPENDIX**ANNOUNCEMENT BY THE
PRESIDENT OF THE SENATE**

President Anderson announced the following appointments to statutory committees:

**IOWA BOUNDARY COMMISSION
(Sec. 2.92, Code of Iowa)**

Donald V. Doyle (appointed July 7, 1984) — Term ending June 30, 1988

**IOWA ADVISORY COMMISSION ON
INTERGOVERNMENTAL RELATIONS
(Sec. 28C.2, Code of Iowa)**

Richard Vande Hoef (appointed July 17, 1984) — Term ending June 30, 1986

**CAPITOL PLANNING COMMISSION
(Sec. 18A.1, Code of Iowa)**

Wm. W. Dieleman (appointed July 7, 1984) — Unexpired term ending April 30, 1987

**COMMISSION ON CHILDREN, YOUTH AND FAMILIES
(Chapter 1076, Sec. 2, 1984 Acts of
the Seventieth General Assembly)**

Julia Gentleman — Original term expired January 1, 1984; reappointed to a term ending January 1, 1987

Patrick Deluhery — Term ending January 1, 1987

**HEALTH DATA COMMISSION
(Sec. 145.6, Code Supplement)**

Edgar H. Holden (appointed July 7, 1984) — Term ending June 30, 1985

**LAW ENFORCEMENT ACADEMY COUNCIL
(Sec. 80B.6, Code of Iowa)**

Don E. Gettings (appointed July 17, 1984) — Term ending April 30, 1988

**IOWA COMMISSION ON COMPENSATION,
EXPENSES AND SALARIES FOR
ELECTED STATE OFFICIALS
(Sec. 2A.1, Code of Iowa)**

Pat Ewing, Storm Lake (appointed October 22, 1984) — Term ending June 30, 1989

BILLS ASSIGNED TO COMMITTEE

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

S. F.	73	Transportation
S. F.	74	Ways and Means
S. F.	75	Natural Resources
S. F.	76	Judiciary

**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 22, 1985:

Ann B. Thompson—Director of the Commission on Children, Youth and Families—Human Resources.

State Foster Care Review Board — Human Resources:

Mark Wolraich, Jacqueline Mayfield, Carol A. Worlan, Harriet Vande Hoef, H. May Roberts, James G. McCullagh and Ruth DeVries.

Board of Social Work Examiners — Human Resources:

Virginia J. Poffenberger, Judith Kaye Rinehart, Alyce Ann Clasen, Leonard C. Larsen and Francis Millard Hellert.

Richard G. Freeman—Director of the Iowa Department of Job Service—Labor.

Eldon E. Leonard—Iowa Board of Parole—Judiciary.

Bass Van Gilst—State Board of Regents—Appropriations.

Cynthia B. Lidgett—Jobs Commission—Small Business & Economic Development.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following Senators were appointed to subcommittees of standing committees:

APPROPRIATIONS: As a member of the State Board of Regents:

BASS VAN GILST: C. Miller, Chair, Tieden and Husak.

HUMAN RESOURCES: As members of the Board of Social Work Examiners:

ALYCE ANN CLASEN: C. Miller, Chair; Murphy and Gratiias.

FRANCIS MILLARD HELLERT: Readinger, Chair; Carr and Wells.

LEONARD C. LARSEN: Hannon, Chair; Readinger and Gratiias.

VIRGINIA J. POFFENBERGER: Coleman, Chair; Vande Hoef and Wells.

JUDITH KAYE RINEHART: Carr, Chair; C. Miller and Taylor.

HUMAN RESOURCES: As Director of the Commission on Children, Youth, and Families:

ANN B. THOMPSON: Coleman, Chair, Hannon and Vande Hoef.

HUMAN RESOURCES: As members of the State Foster Care Review Board:

RUTH M. DeVRIES: Vande Hoef, Chair; Coleman and C. Miller.

JACQUELINE MAYFIELD: Bruner, Chair; Carr and Coleman.

JAMES G. McCULLAGH: Murphy, Chair; Hannon and Taylor.

H. MAY ROBERTS: Carr, Chair; Gratiias and Bruner.

HARRIET VANDE HOEF: Wells, Chair; Readinger and Murphy.

MARK WOLRAICH: Taylor, Chair; Bruner and Vande Hoef.

CAROL A. WORLAN: Gratias, Chair; Taylor and Wells.

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

ELDON E. LEONARD: Mann, Chair; Gentleman and Dieleman.

LABOR: As Director of the Iowa Department of Job Service:

RICHARD G. FREEMAN: Gettings, Chair; Deluhery and Jensen.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2, the committee on rules and administration submits the following names of officers and employees to the Senate and their respective classifications, grades and steps:

		Class	Grade	Step
Secretary of the Senate	K. Marie Thayer	P-FT	\$29,203.20	
Parliamentarian	Marilyn K. Mueller	E-FT	29	1

Administrative

Secretary to the Secretary	Jean Cook	S-O	20	2
Finance Officer	Mary Ann Abbott	P-FT	27	7
Recording Clerk	Mary Kennedy	S-O	20	2
Records and Supply	Phyllis Peters	S-O	19	1
Secretary to the Secretary	Judy Rutledge	S-O	20	4

Indexing

Chief Indexer	Maxine Gunton	P-FT	19	6
Assistant Indexer	Caryll Wilbur	P-FT	17	6

Journal

Journal Editor	C.J. Kelly	P-FT	24	7
Assistant Journal Editor	Nancy Smith	P-FT	20	4
Composer	Mary Buban	P-FT	17	4

Legal Counsel

Legal Counsel	Ann VerHeul	E-FT	33	1
Assistant Secretary	Cynthia A. Clingan	P-FT	27	6
Assistant to the Legal Counsel	Valerie L. Deaton	S-O	18	1

Majority Caucus

Administrative Assistant to Majority Leader	Jana Zinser	P-FT	30	1
Caucus Staff Director	Gregory S. Nichols	P-FT	31	2
Research Analyst	Mary Gannon	P-FT	25	1
Research Analyst	Dennis Harbaugh	P-FT	24	1
Research Analyst	Debbie O'Leary	P-FT	24	1
Research Analyst	Joseph Rasmussen	P-FT	25	2
Research Analyst	Rebecca Roorda	P-FT	27	2
Research Analyst	Patricia Funaro	P-FT	24	1
Executive Secretary to Majority Leader	Kathy Hillman	P-FT	21	2
Secretary to Caucus	Mary Bustad	P-PT	16	1

Minority Caucus

Administrative Assistant to Minority Leader	Judy Bertelsen	P-FT	30	2
Caucus Staff Director	Peter J. Coniglio	P-FT	31	2
Research Analyst	James M. Boose	P-FT	24	2
Research Analyst	Barbara Dietrich	P-FT	24	2
Research Analyst	Carol D. Olson	P-FT	24	2
Research Analyst	Scott M. Teasdale	P-FT	24	2
Executive Secretary to Caucus	Nancy Henter	P-FT	21	1
Secretary to Minority Leader	Betty Wise	S-O	19	3

Sergeant-at-arms

Sergeant-at-arms	James E. Briles	S-O	15	6
Assistant Sergeant-at-arms	Jack Levine	S-O	13	2
Assistant Sergeant-at-arms	Steven Norder	S-O	13	1
Chief Doorkeeper	Ray J. Prosperi	S-O	10	3
Doorkeeper	Catherine L. DeHeck	S-O	9	3
Doorkeeper	Robert Doyle	S-O	9	1
Doorkeeper	Domenic P. Morrow	S-O	9	1
Doorkeeper	Frank J. Murphy	S-O	9	2
Doorkeeper	Roy Nelson	S-O	9	2
Doorkeeper	E.A. Samuelson	S-O	9	1

Services

Bill Clerk	Mark A. Schoeberl	S-O	13	1
Assistant Bill Clerk	Scott Beattie	S-O	12	1
Switchboard Operator	Betty Lawler	S-O	13	3
Switchboard Operator	Fredda Wright	S-O	13	1
Postmaster	Dino Masolini	S-O	10	1
Porter	James M. Sullivan	S-O	8	6

Pages

Senate Page	Kenneth Auge	S-O	Minimum Wage
Senate Page	Linda Bray	S-O	Minimum Wage
Senate Page	Jacqueline Holm	S-O	Minimum Wage

Senate Page	Amy Mayer	S-0	Minimum Wage
Senate Page	David McCaffrey	S-0	Minimum Wage
Senate Page	Jeffrey Nielsen	S-0	Minimum Wage
Senate Page	Mary Poehler	S-0	Minimum Wage
Senate Page	James Roberts	S-0	Minimum Wage
Senate Page	Scott Romans	S-0	Minimum Wage
Senate Page	Darci Shell	S-0	Minimum Wage
Senate Page	Christopher Sorensen	S-0	Minimum Wage
Senate Page	Susan Suntken	S-0	Minimum Wage
Senate Page	Tracy Templeton	S-0	Minimum Wage
Senate Page	Sherry Vaia	S-0	Minimum Wage
Senate Page	Scott Watson	S-0	Minimum Wage

Senate Secretaries and Administrative Assistants

Senate Secretary	Sondra Aamoth	S-0	15	4
Senate Secretary	Joyce Anderson	S-0	15	5
Senate Secretary	Randall Bauer	S-0	13	3
Senate Secretary	Lori Bristol	S-0	15	4
Senate Secretary	Paula Cox	S-0	15	6
Senate Secretary	Phyllis Den Hartog	S-0	15	4
Senate Secretary	Katie Doyle	S-0	15	8
Senate Secretary	Betty Dysart	S-0	15	3
Senate Secretary	Connie Eichhorn	S-0	15	7
Senate Secretary	Alyce Elmitt	S-0	15	8
Senate Secretary	Judy Frazier	S-0	15	4
Senate Secretary	Beverly Gettings	S-0	15	5
Senate Secretary	Betty Gottchalk	S-0	15	5
Senate Secretary	Jo Ann Hanover	S-0	15	4
Senate Secretary	Barbara Harrison	S-0	15	7
Senate Secretary	Jeanne Heller	S-0	15	5
Senate Secretary	Dorothy Husak	S-0	13	4
Senate Secretary	JoAnn Hutchins	S-0	13	5
Senate Secretary	Myrtle Jensen	S-0	13	4
Senate Secretary	Pat King	S-0	15	2
Senate Secretary	Sally Jo Kriese	S-0	13	3
Senate Secretary	Fran Kurts	S-0	15	4
Senate Secretary	Barbara Lind	S-0	15	2
Senate Secretary	Patti Lippold	S-0	13	3
Senate Secretary	Eleanor Lundberg	S-0	15	5
Senate Secretary	Holly Martin	S-0	13	3
Senate Secretary	Geraldine McCarthy	S-0	15	8
Senate Secretary	Jean McClatehey	S-0	15	6
Senate Secretary	Cynthia Michener	S-0	15	4
Senate Secretary	Virginia Miller	S-0	15	6
Senate Secretary	Laura Morton	S-0	13	3
Senate Secretary	Marci Nelson	S-0	15	8
Senate Secretary	Carole Peterson	S-0	15	5
Senate Secretary	Rosemary Randolph	S-0	15	6
Senate Secretary	Gerry Rydell	S-0	15	6
Senate Secretary	Flo Saf	S-0	15	4
Senate Secretary	Beverly Samuelson	S-0	15	4
Senate Secretary	Hazel Schroedel	S-0	15	6
Senate Secretary	Mildred Steward	S-0	15	8
Senate Secretary	Ruth Strait	S-0	15	5
Senate Secretary	Joy Sundberg	S-0	13	2
Senate Secretary	Harriet Vande Hoef	S-0	13	2
Senate Secretary	Katheryn Walden	S-0	15	4
Senate Secretary	Betty Waaker	S-0	15	6
Senate Secretary	Margaret Wimmer	S-0	13	3

Administrative Assistant	Joe Andreason	S-O	15	1
Administrative Assistant	Ann Blanchard	S-O	15	1
Administrative Assistant	Steven Falck	S-O	15	1

LOWELL L. JUNKINS, Chair

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 22, 1985:

Elizabeth J. Johnson — Assessor Education Commission
 Colleen M. Farmer — State Board of Barber Examiners
 Karen Ann Voecks — State Board of Barber Examiners
 Kevin D. Schwab — City Development Board
 Luella S. McCabe — State Board of Dental Examiners
 Cecelia A. Smith Burnett — Board of Landscape Architectural Examiners
 Steve A. Schroeder — Board of Landscape Architectural Examiners
 Jeffrey D. Benson — Board of Landscape Architectural Examiners
 Edward C. Dinovo — Law Enforcement Academy Council
 Sandra A. Yates — State Board of Nursing Examiners
 Carol A. Morris — State Board of Physical and Occupational Therapy Examiners

LOWELL L. JUNKINS, Chair

SENATE STUDY BILLS

S.S.B. 30 Judiciary

An act relating to nonsubstantive Code corrections.

S.S.B. 31 Education

An concurrent resolution for a study of the collective bargaining process for educators.

S.S.B. 32 Education

An act requiring a free and appropriate public education for children requiring special education.

S.S.B. 33 Education

An act relating to the health and physical education requirements in grades one through twelve.

S.S.B. 34 Education

An act to provide for the waiver of tuition for certain nonresident students under the sponsorship of a foreign student exchange program.

S.S.B. 35 Education

An act relating to the acceptance of the federal rehabilitation Acts.

S.S.B. 36 Education

An act requiring an area education agency to provide certain services to school age children in inpatient substance abuse programs.

S.S.B. 37 Education

An act relating to the use of certain funds for the elimination of asbestos from school buildings.

S.S.B. 38 Judiciary

An act relating to the designation of persons to accept bond money and securities.

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: January 21, 1985, 2:22 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Coleman, Corning, Drake, Horn, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Bruner (excused); Gentleman and Mann.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:37 p.m.

AMENDMENT FILED

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:49 p.m., until 9:00 a.m., Wednesday, January 23, 1985.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 23, 1985

The Senate met in regular session at 9:09 a.m., President Anderson presiding.

Prayer was offered by the Reverend George Weitzel, pastor of the Nishna Valley Parish of the United Methodist Church, Emerson, Iowa.

The Journal of Tuesday, January 22, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 88, by Hutchins, a bill for an act relating to health care benefits provided to corporate officers who voluntarily reject coverage under the workers' compensation law.

Read first time and passed on file.

Senate File 89, by Hutchins, a bill for an act to allow school districts to raise a transportation assistance amount for the school year beginning July 1, 1986.

Read first time and passed on file.

Senate File 90, by Lind, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

Read first time and passed on file.

Senate File 91, 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.

SPECIAL GUEST

Senator Hutchins presented Jayne Danner of Carroll, the 1985 Iowa Junior Miss. Jayne, a senior at Kuemper High School, was crowned on December 1, 1984, at the state pageant in Ottumwa and will represent Iowa at the National Junior Miss Finals in Mobile, Alabama in June, 1985.

Jayne has received the DAR honorary and outstanding scholastic award and is a member of Iowa Scholars. She plans to attend the University of Northern Iowa and major in music and business marketing.

Jayne was accompanied in her visit to the Senate by her mother, Mrs. Donald Danner and her sister, Mrs. Deb Collison.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:15 a.m., until 4:30 p.m.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Jayne Danner of Carroll County—1985 Iowa Junior Miss. Senator Hutehins (January 23, 1985).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: January 22, 1985, 9:45 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Other Committee Business: Adopted subcommittee rules; presented agenda, budget forms and perspectives, and discussed bill funnel process.

Adjourned: 10:01 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 22, 1985, 9:55 a.m.

Members Present: Horn, Chair; Brown, Vice Chair (arrived 10:10 a.m.); Lind, Ranking Member; Nystrom and Small.

Members Absent: none.

Other Committee Business: Budget hearings on the Historical Department and Arts Council.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 22, 1985, 9:50 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; Rife and A. Miller.

Members Absent: none.

Other Committee Business: Organizational meeting; conducted a brief overview of the departments considered by the subcommittee.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 22, 1985, 10:10 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; and Vande Hoef, Ranking Member.

Members Absent: Bruner and Gentleman.

Other Committee Business: Adopted subcommittee rules and approved minutes from meetings held prior to convening of the session.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: 9:45 a.m., January 22, 1985, 9:45 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; and Ritsema, Ranking Member; Carr and Waldstein (arrived 11:25 a.m.)

Members Absent: none.

Other Committee Business: Adopted subcommittee rules; presentations made by Rockwell City, Mitchellville and Clarinda (Department of Corrections).

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 22, 1985, 9:45 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Other Committee Business: Presentations by: John T. Fawcett, Executive Director, Herbert Hoover Birthplace Foundation and Richard Freidman, Commissioner, Mississippi River Parkway Commission.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 22, 1985, 9:40 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Other Committee Business: Organizational meeting; distributed agenda, adopted subcommittee rules and budget overview.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 22, 1985, 9:55 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Corning and Mann.

Members Absent: Schwengels, Ranking Member (excused).

Other Committee Business: Adopted subcommittee rules; Holly Lyons from the Legislative Fiscal Bureau explained the tentative schedule for budget hearings and supplemental budget requests.

Adjourned: 10:27 a.m.

AGRICULTURE

Convened: January 23, 1985, 8:04 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: SENATE FILE 38, a bill for an act relating to the testing and disposal of cattle for bovine brucellosis.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Discussed and deferred on the Iowa family farm development authority.

Adjourned: 8:30 a.m.

EDUCATION

Convened: January 22, 1985, 3:40 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Hannon, Murphy, Wells, Lind, Taylor and Corning.

Members Absent: none.

Final Bill Action: SENATE FILE 91 (SSB 1), 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, 9: Brown, Horn, Hannon, Colton, Murphy, Wells, Lind, Taylor and Corning. Nays, 1: Gratias.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees and deferred action on SSB 8.

Adjourned: 4:17 p.m.

HUMAN RESOURCES

Convened: January 22, 1985, 8:32 a.m.

Members Present: Wells, Chair; Murphy, C. Miller, Hannon, Carr, Taylor and Vande Hoef.

Members Absent: Bruner, Vice Chair; Gentleman, Ranking Member; Gratijs, Readinger and Coleman (all excused).

Other Committee Business: Assigned Governor's appointees and bills to subcommittees.

Adjourned: 8:40 a.m.

JUDICIARY

Convened: January 22, 1985, 2:35 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn and Taylor.

Members Absent: Gentleman and Small.

Final Bill Action: SENATE FILE 19, a bill for an act to prohibit the recording of speeding tickets for violations ten miles per hour or less over the posted limit, subject to a penalty provided by law.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, Coleman, Doyle, Hester, Holt, Horn, Mann and Taylor. Nays, 3: Deluhery, Drake and Ritsema. Absent or not voting, 3: Dieleman, Gentleman and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:35 p.m.

LOCAL GOVERNMENT

Convened: January 22, 1985, 2:30 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind (arrived 2:32 p.m.), Neighbour, Vande Hoef and Wells.

Members Absent: Priebe (excused).

Other Committee Business: Assigned bills to subcommittees; presentations by Robert Harpster, League of Municipalities, and John Torbert, Iowa Association of Counties.

Adjourned: 3:11 p.m.

TRANSPORTATION

Convened: January 22, 1985, 3:40 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller.

Members Absent: Drake, Ranking Member and Nystrom (excused).

Other Committee Business: Assigned bills to subcommittees; presentation by the DOT.

Adjourned: 4:16 p.m.

WAYS AND MEANS

Convened: January 17, 1985, 2:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz.

Members Absent: none.

Other Committee Business: Presentation by Robert Houser, Chairman of the Tax-Study Committee.

Adjourned: 3:35 p.m.

WAYS AND MEANS

Convened: January 21, 1985, 1:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger and Soorholtz.

Members Absent: Rodgers and Bruner (excused).

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:40 p.m.

COMMUNICATIONS

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

IOWA COMMERCE COMMISSION

On January 21, 1985, a copy of the annual report of the Iowa Commerce Commission for 1983.

**IOWA CRIMINAL AND JUVENILE
JUSTICE PLANNING AGENCY**

On January 22, 1985, three volumes of the Iowa Criminal and Juvenile Justice Plan for 1984-2004. Volume I: Recommendations and Plan Progress; Volume II: Research; and, a copy of the Flowchart Analysis of Criminal and Juvenile Justice System, pursuant to Sec. 80C.4, Code of Iowa.

IOWA DEPARTMENT OF HUMAN SERVICES

On January 21, 1985, a copy of the report, Population Demands and Trends at the Mental Health Institutes and Its Relationship to Per Diem Charges, pursuant to Chapter 1306 (Sec.5.6), 1984 Acts of the Seventieth General Assembly.

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President Anderson presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 6, by Nystrom and Horn, a Senate Concurrent Resolution paying tribute to Robert A. Case and his memory.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 92, 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.

Senate File 93, by Bruner, a bill for an act to provide additional weighting under the state school foundation plan for non-English-speaking students.

Read first time and passed on file.

Senate File 94, 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 and making the provisions retroactive.

Read first time and passed on file.

Senate File 95, by Priebe, Kinley, Palmer, Soorholtz, Lind and Tieden, a bill for an act relating to economic development by reducing the premium tax on those insurance premiums invested

in agricultural or business loans in the state and providing for the commissioner of insurance to adopt rules to verify the investments.

Read first time and passed on file.

Senate File 96, by Hester, a bill for an act relating to the credit and refund of unexpired registration fees for certain vehicles.

Read first time and passed on file.

Senate File 97, by Committee on Judiciary, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years.

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 44 present, 6 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Waldstein for the afternoon on request of Senator Hultman.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 15

On motion of Senator Boswell, Senate File 15, a bill for an act relating to the designation of the Grand river, with report of committee recommending passage, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon 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. 15) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays 2:

Holden Lind

Absent or not voting, 3:

Gentleman Palmer Waldstein

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 Palmer 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 for consideration Senate File 78.

Senate File 78

On motion of Senator Murphy, Senate File 78, a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education, was taken up for consideration.

Senator Hultman offered amendment S—3024 filed by Senators Hultman and Lind to page 1 of the bill and moved its adoption.

Amendment S—3024 was adopted by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 78) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holt	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays 3:

Hester	Holden	Jensen
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Absent or not voting, 3:

Gentleman	Palmer	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.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate Concurrent Resolution 3)

A conference committee report signed by the following Senate and House members was filed January 23, 1985, on Senate Concurrent Resolution 3, a resolution relating to the joint rules of the senate and house:

ON THE PART OF THE SENATE:

LOWELL L. JUNKINS, Chair
BILL HUTCHINS
DON E. GETTINGS
CALVIN O. HULTMAN
JOHN W. JENSEN

ON THE PART OF THE HOUSE:

TOM FEY, Chair
JOHN H. CONNORS
JOYCE LONERGAN
DOROTHY F. CARPENTER
WILLIAM H. HARBOR

CONFERENCE COMMITTEE REPORT CONSIDERED**Senate Concurrent Resolution 3**

Senator Hutchins called up the conference committee report on Senate Concurrent Resolution 3, a resolution relating to the joint rules of the senate and house, filed January 23, 1985, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 3.

A non record roll call was requested.

The ayes were 45, nays 5.

The motion prevailed and the resolution was adopted.

Senator Junkins asked and received unanimous consent that Senate Concurrent Resolution 3 be immediately messaged to the House.

- APPENDIX**BILLS ASSIGNED TO COMMITTEE**

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

S. F.	80	Ways and Means
S. F.	81	State Government
S. F.	82	Agriculture
S. F.	83	State Government
S. F.	84	Local Government
S. F.	85	Judiciary
S. F.	86	Transportation
S. F.	87	Ways and Means
S. F.	88	Commerce
S. F.	89	Education
S. F.	90	State Government

SENATE STUDY BILLS**S.S.B. 39 Judiciary**

Relating to disclosure of information regarding missing persons.

S.S.B. 40 Agriculture

Relating to Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

S.S.B. 41 Commerce

Relating to administrative penalties that the department of insurance may assess for engaging in prohibited insurance trade practices or for violations in the provision of mutual hospital services.

S.S.B. 42 Judiciary

Reclassifying and adding certain controlled substances to the schedules in chapter 204.

S.S.B. 43 Energy

Create an Iowa commerce commission pilot program for energy conservation improvements.

S.S.B. 44 State Government

Licensing of real estate brokers and real estate salespersons and providing for an effective date.

S.S.B. 45 State Government

Eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa.

S.S.B. 46 State Government

Relating to duties of the secretary of the state board of engineering examiners.

S.S.B. 47 Natural Resources

Inspection of fruit-tree or forest reservations and making the Act retroactive..

**FURTHER
REPORT OF COMMITTEE MEETING**

JUDICIARY*

*A previous report of this meeting also appears on page 119 of the January 23 Senate Journal.

Final Bill Action: SENATE FILE 97 (SSB 24), a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Doyle, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt and Taylor. Nays, 2: Mann and Horn. Absent or not voting, 3: Ritsema, Gentleman and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: January 23, 1985, 2:30 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Mann, C. Miller, Rife and Schwengels.

Members Absent: Gentleman, Horn and Welsh.

Final Bill Action: SENATE FILE 16, 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, 10: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, C. Miller, Schwengels and Welsh. Nays, 1: Rife. Absent or not voting, 3: Gentleman, Horn and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Approved SSBs 15 and 17 and ordered redrafted as committee bills.

Adjourned: 3:15 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Alan Patterson, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-3023	S. F.	9	Leonard L. Boswell
S-3024	S. F.	78	Calvin O. Hultman
			Thomas A. Lind
S-3025	S. F.	91	Larry Murphy

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:15 p.m., until 9:00 a.m., Thursday, January 24, 1985.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 24, 1985

The Senate met in regular session at 9:09 a.m., President Anderson presiding.

Prayer was offered by the Reverend Jim Berka, pastor of the First Lutheran Church, Centerville, Iowa.

The Journal of Wednesday, January 23, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Waldstein and Lind for the day on request of Senator Jensen; Senator Palmer for the day and Senator Priebe for the afternoon on request of Senator Junkins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 22, 1985, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a resolution requesting federal legislation for an adequate farm program.

This resolution was read first time and passed on file.

House Concurrent Resolution 6, a resolution relating to Iowa's economic crisis.

This resolution was read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 7, by Committee on Education, a concurrent resolution for a study of the collective bargaining process for educators.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 98, by Committee on Education; a bill for an act to provide for the granting of certificates of excellence to certain school boards by the state board of public instruction.

Read first time and placed on calendar.

Senate File 99, by Wells, a bill for an act relating to the state racing commission by requiring that each member shall reside at least one hundred miles from any other member of the commission, terminating the terms of the existing members of the commission and providing for appointment of new members.

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 Rodgers presiding.

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 3, 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 3, duly adopted, the joint convention was called to order at 9:48 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 six, 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 Chair appointed as such committee Senators Murphy, Boswell and Holden, on the part of the Senate, and Representatives Sherzan, Daggett and Teaford, on the part of the House.

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

Members of the Executive Council and the Attorney General were escorted into the House chamber.

Mrs. Chris Branstad and her parents, Mr. and Mrs. Dick Johnson, were escorted into the House chamber.

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

President Anderson then presented Governor Branstad, who delivered the following Budget Message:

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

Last week I reported to you on the Condition of our State. We are in the midst of the most severe economic difficulty since the Great Depression. As America's leading farm state, our economy has been devastated by high interest rates, falling land prices, and the overvalued dollar.

My message last week was clear. Although our problems were created elsewhere, we must take the lead in resolving them. We must put partisan differences aside, and form a compact for Iowa's future growth.

After meeting with our entire Congressional Delegation in Washington, D.C. on Tuesday of this week, I know they are willing to work with us.

Today, I am presenting the budget for the next two fiscal years. We spent thousands of hours crafting a budget to meet today's challenges and tomorrow's opportunities.

We held public hearings on the requests from each state agency and department of state government. We considered the concerns of citizens from all parts of the state. This budget addresses those concerns. It is fair. It meets Iowa's needs. It merits your support.

Before discussing the specifics of the budget, I want to thank Bill Krahl and the employees of the State Comptroller's Office for their assistance in preparing it.

In particular, I want to thank Art Claus, the Director of the State Budget, who has worked in the Comptroller's Office for 25 years. Today is his final day as a state employee. Tomorrow, he begins his well-deserved retirement.

Thank you, Art. We will miss you. Will you stand and be recognized? Art is just one of many who has donated thousands of hours of service without compensation and he will be missed.

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This is an austere budget, reflecting the realities of our time. Departmental askings were cut by over \$370 million.

These were tough decisions, but they were necessary. Our citizens live within their means. State government must do the same. This is a balanced budget, and it was balanced without raising taxes.

At the same time, this is a budget that recognizes and meets Iowans' needs. The priority areas of education and economic development receive substantial increases.

Government has a responsibility to help those who cannot provide for themselves, especially when times are tough. This budget maintains our programs to help Iowans in need. It includes funding for the Medically Needy Program, and provides state support for organ transplants.

State government also has a role in the preservation of our precious resources—our natural areas, water, and soil. This budget increases our State Soil Conservation Cost Share Program. It will protect our environment for future generations.

This budget also maintains our commitment to property tax relief. It increases the State's share of funding our schools and our court system, and takes the next two steps in the long-delayed personal property tax phase-out. In all, this budget makes available \$72 million in additional property tax relief.

This budget includes needed funding for other important work. The details are in the documents that will be delivered to you after my remarks.

- O -

Last week I highlighted my program priorities. I presented recommendations to achieve educational excellence, protect our people, and strengthen Iowa's economy.

My education recommendations will provide better career opportunities and more compensation for master teachers. They will improve education coursework, and increase the accountability of our schools to the public.

In the area of public safety, I have proposed measures to protect our children, stop drunk driving, and keep dangerous criminals behind bars.

I encouraged Iowans to plan and work together to create jobs. And, I promised that today, I would present a blueprint for Iowa's economic future.

- O -

The Committee on Iowa's Future Growth studied Iowa's economy, and prepared a comprehensive plan for economic development. That committee said our plan cannot be narrow—it must cover many economic fronts. This plan cannot be parochial—it must encompass all of Iowa. This plan should not be partisan—it must bridge political differences.

Our economic plan must be bold and imaginative. Today, I offer an agenda with initiatives designed to reach five important goals:

- to strengthen our farm economy;
- to assist small and emerging businesses;
- to support local economic development activities;
- to create jobs through needed construction projects; and
- to eliminate penalties on investments to create jobs.

First, we must aggressively market Iowa's products and diversify our agricultural base. A world trade center could be a real asset to the long-term export policy of this state. This budget provides additional funding for trade missions and for our foreign offices in Frankfurt and Hong Kong.

This budget establishes an Iowa Ambassador Program to utilize our university alumni located throughout the world. The budget includes needed support for our meat export technology research center. And, it expands our domestic marketing programs like "Taste of Iowa".

Historically, Iowa has produced a wide variety of agricultural products. However, in recent years we have grown more and more dependent on corn and soybeans.

We must find additional ways to add value to the products we produce. It can be done. Industries in this state are now producing corn to sweeten soft drinks and to produce lysine protein supplements. Feeding our grain to livestock here in Iowa is another important way to add value to our commodities.

We need to find alternative crops and develop more efficient methods of livestock production. This budget provides \$2 million for additional agricultural research.

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The second thing we must do is help our small businesses—that's where most of the new jobs are created. This budget provides support to help small businesses attract federal dollars and obtain management assistance. It increases funding for the New Product Development Corporation. And, small business incubators should be created at each Small Business Development Center in the state.

We need to attract more high technology jobs. Our well-educated, productive workforce makes Iowa an appealing location for technology industries.

Bio-technology and microelectronics offer the most promise for Iowa. This budget contains over \$9 million for additionally research in these and other high-tech areas. This investment will attract at least another \$9 million plus from private and federal sources.

We can also help small business by promoting Iowa as a good place for family vacations and recreation. Tourism is now one of the fastest growing industries in the country. Yet Iowa ranks last in spending to promote tourism.

Recently, a number of major new tourist attractions have been added in our state. The Cedar Valley Nature Trail is now open between Waterloo and Cedar Rapids. The Boone and Scenic Valley Railroad is in operation. The Mississippi Belle Riverboat in its first year of operation has already carried over 100,000 people between the Quad-Cities and Dubuque.

We can create additional jobs right away by doing more to promote these and our other fine tourist attractions. This budget doubles state funding for tourism promotion.

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The third part of our plan is designed to assist local communities with their economic development projects. A state development bank will be organized by

the Partnership for Economic Progress that I announced last week. The Community Development Loan and Cultural Grant Programs have helped revitalize large and small communities throughout the state, and should be continued and funded.

In addition, we should establish a special economic development fund as a catalyst for local efforts. Communities should be given maximum flexibility in utilizing this fund to attract new jobs and encourage expansion.

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Fourth, we can create hundreds of needed construction jobs by improving and maintaining our state facilities. Funding is recommended for some important capital projects like our new Historical Building, the Home Economics facilities at Iowa State University, and improving our state parks and recreation areas.

These first four initiatives meet crucial Iowa needs. When combined with the measures I announced last week, they form a comprehensive plan for Iowa's future.

This important and meaningful plan will do much to create jobs in Iowa. But there is still one other issue that must be addressed if we are to dramatically improve Iowa's competitive position in the race for jobs. We must eliminate penalties for production and retooling in both agriculture and industry.

In the last five years, many of our largest employers have been forced to make deep cuts in their work forces. In fact, since 1979 over 50,000 blue-collar jobs have disappeared from Iowa—a percentage that is much higher than the national average.

During the same period, employment in businesses like insurance and financial services has increased. Why is this happening? The national trend toward a "service" economy is part of the answer, but not the full explanation.

The rest of the answer can be found in state policy. A thoughtful analysis of Iowa's tax policy leads to the unfortunate conclusion that our state penalizes the kind of fixed investment that creates blue collar jobs. The Iowa Development Commission and local economic development specialists have said this for years.

More recently, the Bipartisan Tax Study Committee and the Committee for Iowa's Future Growth both concluded that a major impediment to Iowa's economic development is the imposition of the sales and use tax on industrial and agricultural machinery, equipment, computers, and parts.

Virtually every group which has studied the issue has recommended the repeal of this penalty for creating jobs. The evidence is overwhelming.

Iowa is one of only a few states that imposes this kind of tax on all types of industrial equipment. Iowa and Nebraska are the only states in this region that impose the full tax on farm machinery.

It is time to eliminate this significant barrier to our state's economic growth.

Eliminating this tax penalty is certainly not the answer for all of the problems of agriculture today. I know it won't solve the immediate credit crisis.

But it will help the farmer who is struggling to keep equipment in the field, and it will help the factory worker whose employer is considering relocating to another state because of the high cost of retooling here.

I recognize that eliminating this penalty on production will mean foregoing substantial revenue. In the past, we have not been able to take this step because other taxes would have to be raised to replace what was lost. This year is different.

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By now, Iowans are no doubt familiar with my personal feelings on the issue of lottery. My personal feelings have not changed.

However, it is obvious that public sentiment strongly favors a lottery. I am aware that lottery bills have already been introduced and put on a fast track by the legislative leadership.

This year I will lay my personal objections aside. Should lottery legislation be enacted, I will not stand in the way of it becoming law.

In fact, to show my good faith, I pledge the full cooperation of the Executive Branch to put the lottery in operation by the beginning of the next fiscal year.

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In addition, under present law, the Federal Cigarette Tax is scheduled to be reduced by eight cents per pack on October 1. Smoking does not need to be made more attractive. We should maintain the present level of combined state and federal cigarette taxes. By doing so, we will generate \$42 million in the biennium without raising the cost of cigarettes to the consumer.

The revenue from this cigarette tax offset, and approximately one-half of the proceeds of the lottery, will be enough to replace the revenue lost by removing the tax penalty on investment in jobs.

The remaining lottery revenues should be used for other economic development projects like the flexible Economic Development Assistance Fund and the important capital projects I described earlier.

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Today, Jack Bailey, the Director of our Iowa Development Commission, is in Detroit meeting with the top management of General Motors. He is urging them to locate their new Saturn Plant in Iowa. On Monday, I will go to Detroit to personally make an appeal for the 5,000 jobs this plant will create.

With the program I have just outlined and the assets we already have in place, the State of Iowa will have an appealing package to present to General Motors. For that matter, Iowa should be appealing to any company interested in locating, expanding, or retooling a plant that requires a major investment in equipment or computers.

Of course, no economic development program can guarantee success on a specific project. But, the bold program for Iowa jobs I have announced today will definitely make Iowa much more competitive. It provides the best opportunity available to give our state economy a shot in the arm.

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I know that I am asking you to do some extraordinary things for agriculture and industrial jobs. But Iowans are faced with extraordinary economic troubles. In times like these, we must all work together.

We must be willing to thoughtfully consider actions we might otherwise find philosophically objectionable. Our problems require that we set our differences aside and develop a common agenda—an Iowa agenda.

We made a good first step by pledging that economic development will be the top priority of this session. The decisions made in the next few months will have profound effect on the future of our state.

During this crucial year in the history of Iowa, the people are counting on us to do what needs to be done.

As elected officials, that is our role.

That is our responsibility.

That is our mission.

Let's go to work.

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 Colton presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 8, by Committee on Education, a resolution relating to a review of laws and administrative rules relating to education.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 100, by Bruner and Gronstal, a bill for an act relating to public officials and employees by providing for regulation and disclosure of assets, income, gifts and campaign contributions, providing for public financing of gubernatorial candidates, and providing penalties.

Read first time and passed on file.

Senate File 101, by Hultman, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire or invest in a subsidiary to engage in nondepository activities permitted by state or federal law.

Read first time and passed on file.

Senate File 102, by Hultman, a bill for an act relating to disaster assistance to state and local governments and establishing an appropriation.

Read first time and passed on file.

Senate File 103, by Hultman, a bill for an act authorizing the board of supervisors to sell, lease, or convert a county public hospital to a private hospital with voter approval.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:37 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: January 23, 1985, 9:32 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member and Holden.

Members Absent: Priebe (excused).

Other Committee Business: Budget presentations by the State Fair Board and Industrial Commissioner.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 23, 1985, 9:40 a.m.

Members Present: Horn, Chair; Lind, Ranking Member (arrived 10:20 a.m.); Nystrom and Small.

Members Absent: Brown, Vice Chair.

Other Committee Business: Budget presentations by the Iowa College Aid Commission and Iowa Public Television.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 23, 1985, 9:40 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; Rife and A. Miller.

Members Absent: none.

Other Committee Business: Budget presentations by the Commission for the Blind, Vocational Rehabilitation and Services Branch—Department of Public Instruction, and Citizens Aid/Ombudsman.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 23, 1985, 9:35 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member and Bruner (arrived 10:25 a.m.)

Members Absent: Gentleman.

Other Committee Business: Budget presentations by the Department of Human Services.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 23, 1985, 9:37 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Other Committee Business: Budget presentations made by John Mathes, Superintendent of the Newton Riverview Release Center and Bud Kilman, Director of Community Based Corrections.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 23, 1985, 9:35 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Other Committee Business: Budget presentations by Donald L. Koch, Director of the Iowa Geological Survey and James B. Gulliford, Director of the Iowa Department of Soil Conservation.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 23, 1985, 9:35 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Other Committee Business: Budget presentations by the Bureau of Labor, Board of Medical Examiners and Board of Dental Examiners.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 23, 1985, 9:40 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member; Corning and Mann.

Members Absent: none.

Other Committee Business: Explanation by Holly Lyons of the Legislative Fiscal Bureau of the agencies that will be making budget requests before the committee.

Adjourned: 10:38 a.m.

COMMERCE

Convened: January 23, 1985, 1:30 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins (arrived 1:35 p.m.), Jensen, Nystrom, Palmer (arrived 1:38 p.m.) and Tieden.

Members Absent: Priebe.

Other Committee Business: Assigned bills to subcommittees; Paul Dunlap, Hawkeye Banks, discussed the farm problems.

Adjourned: 2:20 p.m.

STATE GOVERNMENT

Convened: January 24, 1985, 9:20 a.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Coleman, Corning, Drake, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Bruner and Gentleman.

Final Bill Action: SENATE FILE 79; a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Dieleman, Corning, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, 2: Coleman and Drake. Absent or not voting, 3: Nystrom, Bruner and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 9:55 a.m.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	6	Rules and Administration
S. F.	92	Small Business
S. F.	93	Education
S. F.	94	Ways and Means
S. F.	95	Ways and Means

FURTHER REPORT OF COMMITTEE MEETING

EDUCATION*

*A previous report of this meeting was recorded on page 118 of the Senate Journal.

Final Bill Action: SENATE CONCURRENT RESOLUTION 7 (SSB 31), a resolution for a study of the collective bargaining process for educators.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 8 (SSB 13), a concurrent resolution relating to a review of laws and administrative rules relating to education.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Final Bill Action: SENATE FILE 98 (SS7), a bill for an act to provide for the granting of certificates of excellence to certain school boards by the state board of public instruction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Horn, Gratias, Colton, Corning, Hannon, Murphy, Taylor and Wells. Nays, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following appointments to state boards and commissions to a standing committee as indicated for investigation on January 24, 1985:

William H. Greiner — Executive Director of the Iowa Family Farm Development Authority — Agriculture

LOWELL L. JUNKINS, Chair

AMENDMENTS FILED

S—3026	S. F.	91	Larry Murphy
S—3027	S. F.	25	Arthur L. Gratias
			James D. Wells
S—3028	S. F.	25	Human Resources

SUBCOMMITTEE ASSIGNMENTS

Senate File 1

STATE GOVERNMENT: Mann, Chair; Coleman and Gentleman.

Senate File 2

COMMERCE: Palmer, Chair; Priebe and Tieden.

Senate File 3

JUDICIARY: Ritsema, Chair; Mann and Small.

Senate File 6

WAYS AND MEANS: Holden, Chair; Readinger, Rodgers, Dieleman and Husak.

Senate File 8

WAYS AND MEANS: Mann, Chair; Brown, Bruner, Hester and Holt.

Senate File 10

STATE GOVERNMENT: Bruner, Chair; Nystrom and Welsh.

Senate File 12

JUDICIARY: Carr, Chair; Mann and Hester.

Senate File 13

WAYS AND MEANS: Husak, Chair; Boswell, Dieleman, Hester and Gratias.

Senate File 14

JUDICIARY: Dieleman, Chair; Deluhery, Horn, Drake and Gentleman.

Senate File 16

STATE GOVERNMENT: Coleman, Chair, Carr and Corning.

Senate File 19

JUDICIARY: Coleman, Chair; Carr and Hester.

Senate File 21

STATE GOVERNMENT: Horn, Chair; Rife and Welsh.

Senate File 23

STATE GOVERNMENT: Dieleman, Chair; Drake and Mann.

Senate File 24

WAYS AND MEANS: Dieleman, Chair; Bruner, Hester, Mann and Readinger.

Senate File 27

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels.

Senate File 28

WAYS AND MEANS: Bruner, Chair; Rodgers, Boswell, Gratias and Holden.

Senate File 30

NATURAL RESOURCES: Rodgers, Chair; Goodwin and Doyle.

Senate File 31

TRANSPORTATION: Drake, Chair; Kinley and A. Miller.

Senate File 32

AGRICULTURE: Husak, Chair; A. Miller and Hester.

Senate File 33

WAYS AND MEANS: Palmer, Chair; Rodgers, Dieleman, Soorholtz and Gratias.

Senate File 34

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels.

Senate File 35

AGRICULTURE: Boswell, Chair; Soorholtz and Husak.

Senate File 36

WAYS AND MEANS: Rodgers, Chair; Husak, Boswell, Hester and Readinger.

Senate File 37

COMMERCE: Holden, Chair; Priebe and Palmer.

Senate File 39

JUDICIARY: Mann, Chair; Coleman and Ritsema.

Senate File 40

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels.

Senate File 41

WAYS AND MEANS: Bruner, Chair; Brown, Gronstal, Soorholtz and Holden.

Senate File 42

TRANSPORTATION: Coleman, Chair; Hall and Goodwin.

Senate File 43

EDUCATION: Taylor, Chair; Gratias and Brown.

Senate File 44

TRANSPORTATION: Jensen, Chair; Nystrom and Gettings.

Senate File 46

JUDICIARY: Deluhery, Chair; Small and Hester.

Senate File 47

LABOR & INDUSTRIAL RELATIONS: Colton, Chair; Gettings and Holden.

Senate File 49

LOCAL GOVERNMENT: Wells, Chair; Hall and Goodwin.

Senate File 54

TRANSPORTATION: Kinley, Chair; Goodwin and A. Miller.

Senate File 56

LOCAL GOVERNMENT: C. Miller, Chair; Neighbour and Lind.

Senate File 58

JUDICIARY: Ritsema, Chair; Mann and Small.

Senate File 59

JUDICIARY: Ritsema, Chair; Mann and Doyle.

Senate File 62

COMMERCE: Kinley, Chair; Holden and Palmer.

Senate File 63

LABOR & INDUSTRIAL RELATIONS: Rife, Chair; Colton and Welsh.

Senate File 64

TRANSPORTATION: A. Miller, Chair; Gettings and Hall.

Senate File 66

TRANSPORTATION: Gettings, Chair; Drake and Doyle.

Senate File 67

JUDICIARY: Mann, Chair; Small and Taylor.

Senate File 68

COMMERCE: Deluhery, Chair; Gronstal and Tieden.

Senate File 69

JUDICIARY: Mann, Chair; Gentleman and Coleman.

Senate File 70

JUDICIARY: Holt, Chair; Coleman and Drake.

Senate File 71

JUDICIARY: Ritsema, Chair; Horn and Carr.

Senate File 72

TRANSPORTATION: Hall, Chair; Kinley and Jensen.

Senate File 76

JUDICIARY: Carr, Chair; Deluhery and Gentleman.

Senate File 85

JUDICIARY: Mann, Chair; Ritsema and Horn.

SSB 15

STATE GOVERNMENT: Coleman, Chair; Nystrom and Dieleman.

SSB 16

WAYS AND MEANS: Dieleman, Chair; Bruner, Hester, Mann and Readinger.

SSB 17

STATE GOVERNMENT: Welsh, Chair; Coleman and Drake.

SSB 18

EDUCATION: Brown, Chair; Horn and Gratias.

SSB 19

LABOR & INDUSTRIAL RELATIONS: Colton, Chair; Gettings and Rife.

SSB 20

LABOR & INDUSTRIAL RELATIONS: Wells, Chair; Welsh and Holden.

SSB 21

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife.

SSB 22

WAYS AND MEANS: Palmer, Chair; Gronstal, Rodgers, Readinger and Holden.

SSB 23

WAYS AND MEANS: Palmer, Chair; Rodgers, Dieleman, Soorholtz and Gratias.

SSB 24

JUDICIARY: Doyle, Chair; Coleman and Drake.

SSB 25

JUDICIARY: Small, Chair; Ritsema and Mann.

SSB 26

JUDICIARY: Mann, Chair; Small and Ritsema.

SSB 27

JUDICIARY: Carr, Chair; Coleman and Gentleman.

SSB 29

HUMAN RESOURCES: Carr, Chair; Bruner and Taylor.

SSB 30

JUDICIARY: Doyle, Chair; Mann and Ritsema.

SSB 31

EDUCATION: Colton, Chair; Corning and Hannon.

SSB 32

EDUCATION: Corning, Chair; Wells and Horn.

SSB 33

EDUCATION: Colton, Chair; Horn and Taylor.

SSB 34

EDUCATION: Gratias, Chair; Murphy and Hannon.

SSB 35

EDUCATION: Murphy, Chair; Lind and Wells.

SSB 36

EDUCATION: Colton, Chair; Gratias and Hannon.

SSB 37

EDUCATION: Hannon, Chair; Gratias and Murphy.

SSB 38

JUDICIARY: Mann, Chair; Doyle and Ritsema.

SSB 39

JUDICIARY: Small, Chair; Doyle and Gentleman.

SSB 41

COMMERCE: Palmer, Chair; Gronstal and Tieden.

SSB 42

JUDICIARY: Horn, Chair; Hester and Taylor.

SSB 48

JUDICIARY: Mann, Chair; Doyle and Gentleman.

SSB 49

JUDICIARY: Carr, Chair; Doyle and Ritsema.

SSB 50

JUDICIARY: Carr, Chair; Doyle and Ritsema.

SSB 51

JUDICIARY: Carr, Chair; Doyle and Ritsema.

SSB 52

JUDICIARY: Carr, Chair; Doyle and Ritsema.

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 59, the following Senators were appointed to subcommittees of standing committees:

AGRICULTURE: As Executive Director of the Iowa Family Farm Development Authority:

WILLIAM H. GREINER: Soorholtz, Chair; Vande Hoef and A. Miller.

SMALL BUSINESS & ECONOMIC DEVELOPMENT: As a member of the Jobs Commission:

CYNTHIA B. LIDGETT: Readinger, Chair; Rife and Brown.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

January 18, 1985

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:

Lloyd E. Clarke, West Des Moines, Polk County, Iowa, to the Iowa Housing Finance Authority pursuant to Section 220.2, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1989.

Roosevelt Taylor, Waterloo, Black Hawk County, Iowa, to the Iowa Housing Finance Authority pursuant to Section 220.2, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1989.

Lorenzo D. Creighton, Waterloo, Black Hawk 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, 1987.

Elmer A. Grismore, II, Corydon, Wayne County, Iowa, for appointment to the State Board of Veterinary Medicine pursuant to Section 169.5, 1983 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1985.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 9, by Mann, a resolution relating to amendments by suspension of germaneness.

Read first time and passed on file.

INTRODUCTION OF BILL

Senate File 104, by Priebe, a bill for an act providing for the payment of property taxes in installments by certain taxpayers.

Read first time and passed on file.

APPENDIX**REPORTS OF STANDING COMMITTEES
(Place Nominees on En Bloc Confirmation Calendar)**

Pursuant to Senate Rule 59, the Committee on Judiciary assigned to investigate the character and qualifications of Eldon E. Leonard, Ankeny, Polk County, Iowa, for appointment as a member of the Iowa Board of Parole under the provisions of Section 904.2, Code of Iowa, for an unexpired portion of a 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 59, the Committee on Small Business and Economic Development assigned to investigate the character and qualifications of Cynthia B. Lidgett, Des Moines, Polk County, Iowa, for appointment as a member of the Jobs Commission under the provisions of Chapter 207.2, 1984 Acts of the Seventieth General Assembly for the unexpired portion of a term beginning immediately and ending June 30, 1985, begs leave to report it has made investigation and recommends the appointment be confirmed.

**COMMITTEE ON SMALL BUSINESS
AND ECONOMIC DEVELOPMENT**
ARTHUR A. SMALL, JR., Chair

SENATE STUDY BILLS**SSB 48 Judiciary**

Relating to the petition for a hearing on an offender's plan of restitution or restitution plan of payment.

SSB 49 Judiciary

Relating to the issuance of warrants for persons absconding from work release facilities.

SSB 50 Judiciary

Relating to inmate transfers.

SSB 51 Judiciary

Repealing the time limitations on work release for inmates.

SSB 52 Judiciary

Relating to the temporary confinement of alleged violators of work release conditions.

SSB 53 State Government

To require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are convicted of selling alcohol to minors.

SSB 54 Natural Resources

Relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission.

SSB 55 Natural Resources

Relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

REPORTS OF COMMITTEE MEETINGS**HUMAN RESOURCES**

Convened: January 23, 1985, 1:32 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Carr, Coleman, Hannon, Murphy, C. Miller, Readinger, Vande Hoef, Gratias and Taylor.

Members Absent: Gentleman, Ranking Member (excused).

Final Bill Action: SENATE FILE 25, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

Recommendation: AMEND AND DO PASS AS PROVIDED IN S—3028.

Final Vote: Ayes, 11: Wells, Coleman, Hannon, Murphy, C. Miller, Readinger, Vande Hoef, Gratias, Taylor, Bruner and Carr. Nays, none. Absent or not voting, 1: Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 2:08 p.m.

JUDICIARY

Convened: January 24, 1984, 3:30 p.m.

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

Members Absent: Gentleman and Taylor.

Final Bill Action: SENATE FILE 59, a bill for an act relating to the offense of using or exploding fireworks and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Gentleman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; presentation of Department of Public Safety on stun guns and juvenile sentencing.

Adjourned: 4:02 p.m.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, M.D., Newton, Iowa.

AMENDMENTS FILED

S—3029	S. F.	79	Arthur L. Gratias Joe Brown
S—3030	S. F.	19	Richard F. Drake

S—3031	S. F.	97	Richard F. Drake
S—3032	S. F.	70	Edgar H. Holden

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:38 p.m., until 10:00 a.m., Monday, January 28, 1985.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 28, 1985

The Senate met in regular session at 10:02 a.m., President pro tempore Rodgers presiding.

Prayer was offered by Father William Leonard, pastor of the Nativity Catholic Church, Dubuque, Iowa.

The Journal of Thursday, January 24, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Jensen for the morning on request of Senator Nystrom and Senator Palmer for today and tomorrow on request of Senator Junkins.

INTRODUCTION OF BILL

Senate File 105, 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.

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 BILLS
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order Senate File 16.

Senate File 16

On motion of Senator Holden, Senate File 16, 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. 16) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Readinger	Ritsema	Rodgers	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays 3:

Murphy	Rife	Small
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Absent or not voting, 4:

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 38.

Senate File 38

On motion of Senator Soorholtz, Senate File 38, a bill for an act related to the testing and disposal of cattle for bovine brucellosis, with report of committee recommending passage, 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?" (S.F. 38) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays none.

Absent or not voting, 3:

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

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 7.

Senate Concurrent Resolution 7

On motion of Senator Brown, Senate Concurrent Resolution 7, a concurrent resolution for a study of the collective bargaining process for educators, was taken up for consideration.

Senator Brown moved the adoption of Senate Concurrent Resolution 7, which motion prevailed by a voice vote and the resolution was adopted.

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 8.

Senate Concurrent Resolution 8

On motion of Senator Brown, Senate Concurrent Resolution 8, a concurrent resolution relating to a review of laws and administrative rules relating to education, was taken up for consideration.

Senator Brown moved the adoption of Senate Concurrent Resolution 8, which motion prevailed by a voice vote and the resolution was adopted.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order Senate File 19.

Senate File 19

On motion of Senator Hutchins, Senate File 19, a bill for an act to prohibit the recording of speeding tickets for violations ten miles per hour or less over the posted limit, subject to a penalty provided by law, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—3034 filed by Senators Hutchins and Coleman from the floor to page 1 and to the title page of the bill.

Senator Drake asked and received unanimous consent that further action on Senate File 19 and amendment S—3034 be deferred.

Senate File 77

On motion of Senator Brown, Senate File 77, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions, was taken up for consideration.

Senator Gratias offered amendment S—3022 filed by him on January 22, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3022 lost by a voice vote.

Senator Tieden offered amendment S—3035 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—3035 be adopted (S.F. 77) the vote was:

Ayes, 13:

Drake	Gentleman	Goodwin	Gratias
Hultman	Lind	Miller, A.V.	Priebe
Rife	Ritsema	Schwengels	Taylor
Tieden			

Nays 32:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Junkins
Kinley	Miller, C.P.	Murphy	Neighbour
Nystrom	Readinger	Rodgers	Small
Soorholtz	Vande Hoef	Wells	Welsh

Absent or not voting, 5:

Boswell	Jensen	Mann	Palmer
Waldstein			

Amendment S—3035 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. 77) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gettings	Gronstal	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Priebe	Readinger
Rife	Rodgers	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays 10:

Corning	Dieleman	Gentleman	Goodwin
Gratias	Hall	Hultman	Junkins
Ritsema	Tieden		

Absent or not voting, 2:

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

INTRODUCTION OF BILLS

Senate File 106, by Gronstal, a bill for an act to provide a specific exemption to the sales and use tax relative to gross receipts from the sale of automotive fluids and providing retroactive effect.

Read first time and passed on file.

Senate File 107, by Priebe, a bill for an act providing for a reduction in the annual payments due on an agriculture or small business loan.

Read first time and passed on file.

Senate File 108, by Priebe, a bill for an act relating to information regarding medicare supplement insurance coverage.

Read first time and passed on file.

Senate File 109, by Priebe, a bill for an act relating to the purchase of health related equipment by certain hospitals and associated facilities.

Read first time and passed on file.

Senate File 110, by Mann, Bruner, Colton, Horn, Hannon, Priebe, Gettings, Readinger, Soorholtz, Neighbour, Carr, Welsh, Gronstal, Murphy, Husak, Boswell, Brown and Miller of Des Moines, 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, providing for civil penalties, and providing an effective date.

Read first time and passed on file.

Senate File 111, by Kinley, 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 passed on file.

Senate File 112, 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.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:12 p.m., until 4:30 p.m.

APPENDIX

COMMUNICATION

January 18, 1985

Ms. K. Marie Thayer
Secretary of the Senate
Statehouse
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 4 claims of a general nature. This supplements our filing of January 2, 1985.

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

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims Subcommittee of the Appropriations Committee.

COMMUNICATION

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

COMMISSION ON THE AGING

A report of the State Elderly Services Program prepared by the Elderly Services Interagency Coordinating Committee and the Iowa Commission on the Aging.

REPORTS OF COMMITTEE MEETINGS

LABOR & INDUSTRIAL RELATIONS

Convened: January 24, 1985, 1:35 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: none.

Other Committee Business: Adopted committee rules; assigned bills to subcommittees; presentations by OSHA and Job Service.

Adjourned: 2:25 p.m.

NATURAL RESOURCES

Convened: January 24, 1985, 8:35 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member (arrived 8:42 a.m.); Goodwin, Gratias, Hannon, Hester, Husak, Neighbour, Rodgers and Tieden.

Members Absent: Doyle.

Other Committee Business: Assigned bills to subcommittees; announced January 29 meeting with Technical Advisory Committee of State Water Plan.

Adjourned: 8:50 a.m.

RULES AND ADMINISTRATION

Convened: January 28, 1985, 12:15 p.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Kinley and Gettings.

Members Absent: Jensen.

Final Bill Action: SENATE RESOLUTION 3, a resolution amending the permanent rules of the Senate.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 6, a resolution paying tribute to Robert A. Case.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 12:30 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 24, 1985, 2:40 p.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Boswell, Doyle, Hutchins, Neighbour, Readinger, Ritsema and Vandé Hoef.

Members Absent: Brown and Waldstein.

Other Committee Business: Adopted committee rules; recommended confirmation of Governor's appointee, Cynthia B. Lidgett.

Adjourned: 3:10 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Junkins from one thousand twelve residents of Iowa opposing state lottery legislation.

Senator Taylor from twenty-three residents of Hardin County favoring legislation repealing Senate File 2220 and reinstating the state sinking fund.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	96	Transportation
S. F.	99	State Government
S. F.	100	State Government
S. F.	101	Commerce
S. F.	102	Appropriations
S. F.	103	Local Government
S. F.	104	Ways and Means
S. C. R.	9	Rules & Administration

ANNOUNCEMENT BY THE MAJORITY LEADER

Senator Junkins announced the appointment of the following Senators:

Energy Policy Council
Sec. 93.2, Code of Iowa

Senators Charles Bruner and Forrest V. Schwengels.

EXPLANATION OF VOTE

MR. PRESIDENT: I was detained and inadvertently did not vote on Senate File 16 on January 28, 1985. I would have voted "aye".

JOHN A. NEIGHBOUR

AMENDMENTS FILED

S—3033	S. F.	19	Douglas Ritsema
S—3034	S. F.	19	Bill Hutchins
			C. Joseph Coleman
S—3035	S. F.	77	Dale L. Tieden

AFTERNOON SESSION

The Senate reconvened at 4:31 p.m., President pro tempore Rodgers presiding.

INTRODUCTION OF BILLS

Senate File 113, by Committee on Human Resources, a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long term care and home health care.

Read first time and placed on calendar.

Senate File 114, by Wells, a bill for an act relating to the official nickname of the state of Iowa.

Read first time and passed on file.

Senate File 115, by Miller of Des Moines, Junkins and Vande Hoef, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

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 44 present, 6 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 116, by Tieden, a bill for an act to require at least one well at each sanitary landfill to monitor ground water quality.

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 Rodgers presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 3, by the committee on Rules and Administration, a resolution amending the permanent rules of the Senate.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.C.R.	5	Agriculture
H.C.R.	6	Agriculture

SENATE STUDY BILLS

SSB 56 Judiciary

An act reducing periods of limitation of claims and actions under the state tort claims act.

SSB 57 Judiciary

An act relating to arson by providing an inference of fraudulent intent.

SSB 58 Human Resources

An act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service.

SSB 59 Human Resources

An act relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

SSB 60 Education

An act relating to the appointment date for a secretary of a school board.

SSB 61 Judiciary

An act relating to recovery of merchandise or damages and providing for civil penalties.

SSB 62 State Government

An act relating to the financing of political campaigns and the reporting of that financing.

SSB 63 Energy & Environment

An act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

SSB 64 Labor & Industrial Relations

An act relating to the authority, procedures and standards for the issuance of search warrants to the bureau of labor.

SSB 65 Local Government

An act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

REPORTS OF COMMITTEE MEETINGS**WAYS AND MEANS**

Convened: January 28, 1985, 1:35 p.m.

Members Present: Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann (arrived 1:50 p.m.), Readinger, Rodgers and Soorholtz.

Members Absent: Palmer, Chair (excused).

Final Bill Action: SENATE FILE 57, a bill for an act relating to a state lottery by providing for a state lottery operated by the state racing commission, a lottery director, 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 penalties, providing that revenue generated shall be distributed to the general fund, and providing for repeal of the Act.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3038.

Final Vote: Ayes, 8: Husak, Boswell, Brown, Gronstal, Mann, Readinger, Rodgers and Soorholtz. Nays, 4: Hester, Dieleman, Holden and Holt. Voting present, 2: Bruner and Gratias. Absent, 1: Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: The committee also discussed Senate File 24, but deferred action.

Adjourned: 3:30 p.m.

WAYS AND MEANS

Convened: January 28, 1985, 4:40 p.m.

Members Present: Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gronstal, Holt, Mann, Readinger, Rodgers, Soorholtz and Gratias.

Members Absent: Palmer, Chair (excused) and Holden.

Final Bill Action: SENATE FILE 24, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the act retroactive.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3043.

Final Vote: Ayes, 11: Husak, Hester, Boswell, Brown, Dieleman, Gratias, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, 1: Bruner. Voting present, 1: Gronstal. Absent, 2: Holden and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Adjourned: 4:40 p.m.

FURTHER REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES*

*A previous report of this meeting was recorded on page 155 of the Senate Journal.

Final Bill Action: SENATE FILE 113 (SSB 29), a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long term care and home health care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Wells, Bruner, Carr, Coleman, Hannon, Murphy, C. Miller, Readinger, Vande Hoef, Gratiyas and Taylor. Nays, none. Absent or not voting, 1: Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 129 of the Senate Journal.

Final Bill Action: SENATE FILE 112 (SSB 17), 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, 10: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, C. Miller, Rife and Welsh. Nays, 1: Schwengels. Absent or not voting, 3: Gentleman, Horn and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS 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 28, 1985, and recommends confirmation:

Elmer A. Grismore, II — State Board of Veterinary Medicine

LOWELL L. JUNKINS, Chair

The committee on Rules and Administration referred the following appointments to state boards and commissions to standing committees as indicated for investigation on January 28, 1985:

Lloyd E. Clarke—Iowa Housing Finance Authority—State Government

Roosevelt Taylor—Iowa Housing Finance Authority—State Government

Lorenzo D. Creighton, Iowa State Civil Rights Commission—Commerce

LOWELL L. JUNKINS, Chair

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Jeffrey Lenz, M.D., Resident at Iowa Luthern Hospital.

AMENDMENTS FILED

S-3036	S. F.	91	Joy Corning
S-3037	S. F.	91	Joy Corning
S-3038	S. F.	57	Ways and Means
S-3039	S. F.	79	Arthur L. Gratias Joe Brown
S-3040	S. F.	25	Charles Bruner
S-3041	S. F.	91	Larry Murphy
S-3042	S. F.	91	Larry Murphy
S-3043	S. F.	24	Ways and Means

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:51 p.m., until 9:00 a.m., Tuesday, January 29, 1985.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 29, 1985

The Senate met in regular session at 9:02 a.m., President Anderson presiding.

Prayer was offered by the Reverend Stanley E. Jensen, pastor of the Monticello Baptist Church, Monticello, Iowa.

The Journal of Monday, January 28, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 117, by Committee on Agriculture, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

Read first time and placed on calendar.

Senate File 118, by Rife and Husak, a bill for an act relating to an export trade credit for purposes of the state individual and corporate income taxes and making the provisions retroactive.

Read first time and passed on file.

Senate File 119, by Holden, a bill for an act to extend civil liability to private persons for the sale or gift of alcoholic beverages or beer to intoxicated persons.

Read first time and passed on file.

Senate File 120, by Hester, a bill for an act relating to grave or burial sites by allowing their protection and preservation by law enforcement agencies and providing a penalty.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that Senate File 57 be referred from the Ways and Means Calendar to the committee on State Government and returned to the Senate Calendar by Thursday, January 31, 1985.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:15 a.m., until 4:30 p.m.

APPENDIX

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Labor and Industrial Relations assigned to further investigate the appointment of Richard G. Freeman as Director of the Iowa Department of Job Service, completed its investigation on January 29, 1985, and recommended the appointment be confirmed.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 29, 1985, 9:38 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Lind, Ranking Member (arrived 10:20 a.m.) and Small.

Members Absent: Nystrom.

Committee Business: Budget hearing for the Iowa Regional Library System.

Adjourned: 10:40 a.m.

AGRICULTURE

Convened: January 24, 1985, 1:33 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins and Vande Hoef.

Members Absent: Palmer (excused) and Waldstein.

Final Bill Action: SENATE FILE 117, a bill for an act relating to the Iowa Family Farm Development Authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the Authority to a beginning farmer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins and Vande Hoef. Nays, none. Absent or not voting, 2: Palmer and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Appointed subcommittee to study investment credit problems and to draw up a resolution concerning same.

Adjourned: 2:14 p.m.

JUDICIARY

Convened: January 24, 1985, 3:30 p.m.

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

Members Absent: Gentleman and Taylor.

Final Bill Action: SENATE FILE 121 (SSB 30), a bill for an act relating to nonsubstantive Code corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Gentleman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Presentation by the Commissioner of the Department of Public Safety; distributed study bills.

Adjourned: 4:05 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: January 28, 1985, 3:35 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Rife, Wells and Welsh.

Members Absent: Hultman (excused).

Committee Business: Presentation by Job Service on agency's responsibilities; assigned bill to subcommittee; recommended confirmation of Richard G. Freeman as Director of the Iowa Department of Job Service.

Adjourned: 4:06 p.m.

TRANSPORTATION

Convened: January 29, 1985, 1:30 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair (arrived 1:40 p.m.); Drake,

Ranking Member: Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: Doyle (excused).

Final Bill Action: SENATE FILE 44, a bill for an act requiring a warning device be equipped in 1986 or newer model cars subject to penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Coleman, Gettings, Goodwin, Jensen, Kinley and Nystrom. Nays, 1: A. Miller. Voting Present, 1: Drake. Absent, 2: Hall and Doyle (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; appointed subcommittees to study taxing on interstate carriers and environmental equipment on fire trucks.

Adjourned: 1:47 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	105	State Government
S. F.	106	Ways and Means
S. F.	107	Commerce
S. F.	108	Human Resources
S. F.	109	Human Resources
S. F.	110	State Government
S. F.	111	State Government
S. F.	114	State Government

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Monday, January 28, 1985.

Had I been present, I would have voted "aye" on Senate Files 16 and 38.

PATRICK J. DELUHERY

**FURTHER REPORT
OF COMMITTEE MEETING**

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 129 of the Senate Journal.

Final Bill Action: SENATE JOINT RESOLUTION 1 (SSB 15), a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Drake, C. Miller, Rife, Schwengels and Welsh. Nays, 1: Nystrom. Absent or not voting, 3: Gentleman, Horn and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 59, the following Senators were appointed to subcommittees of standing committees:

COMMERCE: As a member of the Iowa State Civil Rights Commission:

LORENZO D. CREIGHTON: Tieden, Chair; Nystrom and Deluhery.

STATE GOVERNMENT: As a member of the Iowa Housing Finance Authority:

LLOYD E. CLARKE: Nystrom, Chair; Gentleman and Mann.

STATE GOVERNMENT: As a member of the Iowa Housing Finance Authority:

ROOSEVELT TAYLOR: Bruner, Chair; Corning and Rife.

AMENDMENTS FILED

S-3044	S. F.	91	Milo Colton Donald V. Doyle
S-3045	S. F.	91	Milo Colton Donald V. Doyle

S—3046	S. F.	91	Larry Murphy
S—3047	S. F.	98	Thomas A. Lind
S—3048	S. F.	97	Tom Mann, Jr.
S—3049	S. F.	97	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 4:34 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.

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 January 24, 1985, adopted the conference committee report and adopted Senate Concurrent Resolution 3, a resolution providing for the joint rules of the Seventy-first general assembly.

ALSO: That the House has on January 24, 1985, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, a resolution requesting the Governor of the state to declare the State of Iowa in an economic emergency brought on by agricultural depression and requesting Congressional hearings on the crisis.

INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Committee on State Government, 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 placed on calendar.

Senate File 121, by Committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

Read first time and placed on calendar.

Senate File 122, by Vande Hoef, a bill for an act authorizing the imposition of a mineral severance tax by the board of supervisors and providing a penalty.

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

Senate File 123, by Gentleman and Wells, a bill for an act relating to vital statistics records, providing that certain records which are sixty-five years old or older may be inspected and copied at the local level, and requiring that records not yet sixty-five years old may only be inspected and copied for persons who pay a fee and demonstrate a direct and tangible interest, and providing increased penalties.

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

Senate File 124, by Gronstal, a bill for an act relating to public utilities by providing for procedures establishing excess electric generating capacity and requiring the use of competitive bidding procedures by public utilities.

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

Senate File 125, by Miller of Des Moines and Readinger, a bill for an act defining and establishing redemption centers, dealer agents, and territory of service between dealer agents and distributors, and subjecting violators to a penalty.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 25.

Senate File 25

On motion of Senator Wells, Senate File 25, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations

or revocations; providing penalties, and providing other matters properly relating thereto, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—3028 filed by the committee on Human Resources on January 24, 1985, to pages 1, 3, 4 and 5 of the bill.

Senator Gentleman offered amendment S—3050 filed by her from the floor to amendment S—3028 and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 36.

Amendment S—3050 lost.

Senator Bruner moved the adoption of amendment S—3028, which motion prevailed by a voice vote.

Senator Gratias offered amendment S—3027 filed by Senators Gratias and Wells on January 24, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3027 was adopted by a voice vote.

Senator Bruner withdrew amendment S—3040 filed by him on January 28, 1985, to page 6 of the bill.

Senator Colton took the chair at 5:15 p.m.

Senator Junkins asked and received unanimous consent that further action on Senate File 25 be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Carr for the afternoon session on request of Senator Husak.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 97.

Senate File 97

On motion of Senator Doyle, Senate File 97, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years, was taken up for consideration.

Senator Drake offered amendment S—3031 filed by him on January 24, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 30.

Amendment S—3031 lost.

Senator Holden offered amendment S—3049 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 28.

Amendment S—3049 lost.

Senator Mann offered amendment S—3048 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 30, nays 18.

Amendment S—3048 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?" (S.F. 97) the vote was:

Ayes, 35:

Boswell	Brown	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Goodwin	Gratias	Gronstal
Hannon	Hester	Holden	Holt
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Priebe
Ritama	Rodgers	Schwengels	Taylor
Tieden	Vande Hoef	Wells	

Nays, 13:

Bruner	Gentleman	Gettings	Hall
Horn	Lind	Mann	Readinger
Rife	Small	Soorholtz	Waldstein
Welsh			

Absent or not voting, 2:

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

BUSINESS PENDING

Senate File 25

The Senate resumed consideration of Senate File 25, previously deferred.

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. 25) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen

Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Husak

Absent or not voting, 3:

Carr

Nystrom

Palmer

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 126, by Miller of Des Moines, a bill for an act relating to the payment of refund values and handling fees on soft drink beverage containers.

Read first time and passed on file.

APPENDIX

SENATE STUDY BILLS

SSB 66 Natural Resources

Relating to financial incentive payments for the protection of forests and forest soils from damage by grazing.

SSB 67 Human Resources

For the collection of support obligations relating to identifying information in petitions for dissolution of marriage, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, the recording of income tax refund or rebate payments by the clerk, and the use of workers' compensation payments to satisfy child support obligations.

SSB 68 Human Resources

For the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity action.

SSB 69 Education

To discontinue the issuance of the permanent professional certificate for teachers.

SSB 70 Education

To change the names of the education agency, governing board, and chief administrative officer to department of education, state board of education, and commissioner of education and to change the method of appointing the chief administrative officer.

SSB 71 Judiciary

Relating to the use of testimony, documents or evidence against a defendant compelled to produce such evidence and providing a penalty.

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to further investigate the appointment of Francis Millard Hellert and Virginia J. Poffenberger as members of the Board of Social Work Examiners, completed its investigation on January 29, 1985, and recommended the appointments be confirmed.

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to further investigate the appointment of Ann B. Thompson as Director of the Commission on Children, Youth and Families, completed its investigation on January 29, 1985, and recommended the appointment be confirmed.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, M.D., Marshalltown, Iowa.

AMENDMENTS FILED

S—3050	S. F.	25	Julia B. Gentleman
S—3051	S. F.	59	Bill Hutchins
S—3052	S. F.	91	Douglas Ritsema
S—3053	S. F.	91	Douglas Ritsema
S—3054	S. F.	91	Douglas Ritsema
S—3055	S. F.	91	Douglas Ritsema
S—3056	S. F.	91	Alvin V. Miller
S—3057	S. F.	19	Bill Hutchins

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:08 p.m., until 9:00 a.m., January 30, 1985.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 30, 1985

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

Prayer was offered by the Reverend Robert P. Bruch, pastor of the Reorganized Church of the Latter Day Saints, Lamoni, Iowa.

The Journal of Tuesday, January 29, 1985, was approved.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:11 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE AND TRANSPORTATION

Convened: January 29, 1985, 9:34 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Budget presentation by G.D. Bair, Director of the Internal Revenue Department.

Adjourned: 11:01 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN RIGHTS

Convened: January 29, 1985, 9:35 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Department of Health gave overview of central administration, health facilities and professional licensure and their budget requests.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 29, 1985, 9:35 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Steve Timmins, Legislative Fiscal Bureau, spoke on budget goals; Michael Reagan, Commissioner of the Department of Human Services, spoke on the differences between DHS budget requests and the governor's recommendations; Sandra Scott, Deputy Commissioner of the Department of Human Services, spoke on the ADC and Medicaid budget.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 29, 1985, 9:40 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member and Waldstein.

Members Absent: Carr (excused).

Committee Business: Bud Kilman, Director, Community Based Corrections and Board of Parole; Executive Secretary Richard George and Jacqueline Day, Chair of the Board, made presentations.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 29, 1985, 9:40 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Presentations by Robert F. Tyson, Director and Dennis Guffey, Deputy Director, Iowa Energy Policy Council; and Stephen W. Ballou, Executive Director of the Iowa Department of Water, Air and Waste Management.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 29, 1985, 9:30 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member and Rodgers.

Members Absent: Jensen.

Committee Business: Budget presentations by Board of Nursing, Board of Pharmacy Examiners, State Racing Commission and PER Board.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 29, 1985, 9:35 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member and Corning.

Members Absent: Mann (excused).

Committee Business: Presentation of budget requests for the lieutenant governor and governor's office.

Adjourned: 10:35 a.m.

AGRICULTURE

Convened: January 28, 1985, 3:34 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Vande Hoef and Waldstein.

Members Absent: Palmer (excused).

Committee Business: Announced a joint public hearing on economic emergency due to agricultural depression and a farm foreclosure moratorium, co-sponsored by the Senate and House Agriculture Committees, to be held February 4, 1985, 7:00 p.m., in the House chamber.

Adjourned: 3:40 p.m.

COMMERCE

Convened: January 29, 1985, 8:02 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Hutchins, Jensen, Nystrom, Priebe and Tieden.

Members Absent: Gronstal and Palmer (excused).

Committee Business: Assigned bills and governor's appointee to subcommittees; Jack Bailey, Development Commission, spoke to the committee.

Adjourned: 8:58 a.m.

EDUCATION

Convened: January 29, 1985, 1:45 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 128 (SSB 37), a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 129 (SSB 36), a bill for an act requiring an area education agency to provide certain services to school age children in inpatient substance abuse programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 130 (SSB 33), a bill for an act relating to the health and physical education requirements in grades one through twelve.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:15 p.m.

HUMAN RESOURCES

Convened: January 29, 1985, 8:09 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Coleman, Murphy, C. Miller, Readinger, Gratias and Taylor.

Members Absent: Hannon, Carr (excused) and Vande Hoef (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:17 a.m.

JUDICIARY

Convened: January 29, 1985, 3:35 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Carr and Mann, Vice Chair (both excused).

Committee Business: Distributed study bills; presentation by Hal Farrier, Director, Department of Corrections.

Adjourned: 4:10 p.m.

LOCAL GOVERNMENT

Convened: January 29, 1985, 3:35 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind (arrived 3:38 p.m.), Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by Terry Larson, Iowa State Association of Counties.

Adjourned: 3:58 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	115	Ways and Means
S. F.	116	Energy and Environment
S. F.	118	Ways and Means
S. F.	119	Judiciary
S. F.	120	Judiciary

AFTERNOON SESSION

The Senate reconvened at 1:31 p.m., President pro tempore Rodgers presiding.

INTRODUCTION OF BILLS

Senate File 127, by Miller of Des Moines and Readinger, a bill for an act relating to the qualifications of redemption centers.

Read first time and passed on file.

Senate File 128, by Committee on Education, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings.

Read first time and placed on calendar.

Senate File 129, by Committee on Education, a bill for an act requiring an area education agency to provide certain services to school age children in inpatient substance abuse programs.

Read first time and placed on calendar.

Senate File 130, by Committee on Education, a bill for an act relating to the health and physical education requirements in grades one through twelve.

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 43 present, 7 absent and a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Assessor Education Commission

Elizabeth J. Johnson, committee recommendation found on page 110 of the Senate Journal.

State Board of Barber Examiners, committee recommendations found on page 110 of the Senate Journal:

Colleen M. Farmer
Karen Ann Voecks

City Development Board

Kevin D. Schwab, committee recommendation found on page 110 of the Senate Journal.

State Board of Dental Examiners

Luella S. McCabe, committee recommendation found on page 110 of the Senate Journal.

Board of Landscape Architectural Examiners, committee recommendations found on page 110 of the Senate Journal:

Cecelia A. Smith Burnett
Steve A. Schroeder
Jeffrey D. Benson

Law Enforcement Academy Council

Edward C. Dinovo, committee recommendation found on page 110 of the Senate Journal.

State Board of Nursing Examiners

Sandra A. Yates, committee recommendation found on page 110 of the Senate Journal.

State Board of Physical and Occupational Therapy Examiners

Carol A. Morris, committee recommendation found on page 110 of the Senate Journal.

Director of the Iowa Department of Job Service

Richard G. Freeman, committee recommendation found on page 178 of the Senate Journal.

Iowa Board of Parole

Eldon E. Leonard, committee recommendation found on page 154 of the Senate Journal.

State Board of Veterinary Medicine

Elmer A. Grismore, II, committee recommendation found on page 174 of the Senate Journal.

Senator Hutchins moved the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Brown	Carr	Kinley	Mann
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 3.

Senate Resolution 3

On motion of Senator Hultman, Senate Resolution 3, a resolution amending the permanent rules of the senate for the seventy-first general assembly, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 3.

A non record roll call was requested.

The ayes were 47, nays 0.

The motion prevailed and Senate Resolution 3 was adopted.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate Resolution 3 was adopted by the Senate on January 30, 1985.

JAMES D. WELLS

UNFINISHED BUSINESS (Deferred January 28, 1985)

Senate File 19

The Senate resumed consideration of Senate File 19, a bill for an act to prohibit the recording of speeding tickets for violations ten miles per hour or less over the posted limit, subject to a penalty provided by law, and amendment S—3034 by Senators Hutchins and Coleman, deferred on January 28, 1985.

Senator Drake asked and received unanimous consent that further action on Senate File 19 and amendment S—3034 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 91.

Senate File 91

On motion of Senator Colton, Senate File 91, 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 Corning offered amendment S—3037 filed by her on January 28, 1985, to strike everything after the enacting clause of the bill.

Senator Miller of Cerro Gordo raised the point of order that amendment S—3037 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3037 out of order.

The Chair ruled the following amendments to amendment S—3037 out of order:

S—3041 filed by Senator Murphy, on January 28, 1985, to page 6.

S—3042 filed by Senator Murphy on January 28, 1985, to pages 8, 10 and 12.

S—3045 filed by Senators Colton and Doyle on January 29, 1985, to page 1.

S—3052 filed by Senator Ritsema on January 29, 1985, to page 1.

S—3056 filed by Senator Miller of Cerro Gordo on January 29, 1985, to pages 11 and 12.

Senator Colton offered amendment S—3044 filed by Senators Colton and Doyle on January 29, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3044 was adopted by a voice vote.

Senator Ritsema offered amendment S—3053 filed by him on January 29, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3053 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on Senate File 91 be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 2:35 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:36 p.m., Senator Gettings presiding.

INTRODUCTION OF BILLS

Senate File 131, by Horn, a bill for an act to provide 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, 1985.

Read first time and passed on file.

Senate File 132, by Horn, a bill for an act relating to the eligible amount which can be spent on educational improvement projects by a school district and providing an effective date.

Read first time and passed on file.

Senate File 133, by Hultman, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts.

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 42 present, 8 absent and a quorum present.

BUSINESS PENDING

The Senate resumed consideration of Senate File 91, previously deferred.

Amendment S—3055 filed by Senator Ritsema on January 29, 1985, to page 3 of amendment S—3037, was out of order.

Senator Murphy offered amendment S—3026 filed by him on January 24, 1985, to pages 1, 2, 7, 10, 11, 12, 13 and 15 of the bill.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gratias for the remainder of the day on request of Senator Jensen; Senator Carr for the day and Senator Rodgers for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

The Senate resumed consideration of Senate File 91 and amendment S—3026.

Senator Murphy offered amendment S—3046 filed by him on January 29, 1985, to amendment S—3026 and moved its adoption.

Amendment S—3046 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—3026 as amended.

A non record roll call was requested.

The ayes were 20, nays 24.

Amendment S—3026 as amended lost.

Senator Ritsema offered amendment S—3054 filed by him on January 29, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3054 was adopted by a voice vote.

Senator Murphy offered amendment S—3025 filed by him on January 23, 1985, to page 8 of the bill and moved its adoption.

Amendment S—3025 lost by a voice vote.

Senator Corning offered amendment S—3036 filed by her on January 28, 1985, to pages 9 and 10 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3036 be adopted? (S.F. 91) the vote was:

Ayes, 18:

Corning	Drake	Gentleman	Goodwin
Hester	Holden	Holt	Hultman
Jensen	Lind	Neighbour	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 27:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Readinger	Rife
Small	Wells	Welsh	

Absent or not voting, 5:

Carr	Gratias	Nystrom	Priebe
Rodgers			

Amendment S—3036 lost.

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. 91) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Gronstal	Holden
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Palmer	Readinger	Rife
Ritsema	Small	Wells	Welsh

Nays, 17:

Corning	Gentleman	Goodwin	Hall
Hannon	Hester	Holt	Hultman
Jensen	Lind	Murphy	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Waldstein

Absent or not voting, 5:

Carr
Rodgers

Gratias

Nystrom

Priebe

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 134, by Rodgers, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes.

Read first time and passed on file.

Senate File 135, by Boswell, a bill for an act to change the rate of capitalization used in determining the value of agricultural property.

Read first time and passed on file.

Senate File 136, by Boswell, a bill for an act relating to the valuation of agricultural land for property tax purposes by providing that it be based upon actual productivity.

Read first time and passed on file.

Senate File 137, by Gentleman, Hutchins and Holden, a bill for an act relating to the membership of the Iowa public broadcasting board.

Read first time and passed on file.

Senate File 138, by Deluhery, Holden, Jensen, Miller of Cerro Gordo and Wells, a bill for an act relating to the deposit and investment of public funds.

Read first time and passed on file.

Senate File 139, by Welsh and Gronstal, a bill for an act to include a physician's assistant on the board of medical examiners.

Read first time and passed on file.

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

The Senate resumed session, Senator Gettings presiding.

INTRODUCTION OF BILL

Senate File 140, by Mann, Brown, Readinger, Colton, Horn, Wells and Palmer, a bill for an act relating to the sale of personal property to be used in a cemetery or mausoleum.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 10, by Junkins and Hultman, a resolution to encourage and support the governor and the Iowa development commission in their efforts to convince the general motors corporation to locate the new saturn factory in Iowa.

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

APPENDIX

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Agriculture assigned to further investigate the appointment of William H. Greiner as Director of the Iowa Family Farm Development Authority, completed its investigation on January 30, 1985, and recommended the appointment be confirmed.

SENATE STUDY BILLS

SSB 72 Appropriations

Establishing a comprehensive long-term care program for the elderly within the commission on the aging, and making an appropriation.

SSB 73 Judiciary

Relating to the imposition of mandatory minimum sentences.

SSB 74 Judiciary

Relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

SSB 75 Judiciary

Relating to the confidentiality of Iowa board of parole records, and providing penalties.

SSB 76 Judiciary

Relating to the rights of grandparents.

SSB 77 Appropriations

Expanding the medically needy program to cover those persons eligible, except for income, for federal supplemental security income benefits, and making an appropriation for the 1985-1986 fiscal year.

SSB 78 Appropriations

Relating to the funding of public transit systems and making an appropriation.

SSB 79 Appropriations

Relating to the financing of expanded in-home health care services for the elderly through the commission on the aging for the biennium beginning July 1, 1985 and ending June 30, 1987.

SSB 80 State Government

Relating to the reporting of campaign contributions to legislators and making it effective upon publication.

SSB 81 Human Resources

Relating to the consolidation of language under which the state department of health charges for certain services rendered.

SSB 82 Human Resources

A concurrent resolution relating to Older American Act grants for American Indian populations.

SSB 83 Human Resources

A concurrent resolution urging the University of Iowa to require graduates of the college of medicine to successfully complete a course in geriatric medicine.

SSB 84 Human Resources

Repealing the chapter relating to hospital survey and construction.

SSB 85 Human Resources

Relating to the establishment, implementation, and enforcement of minimum hospital licensing standards, and providing civil and criminal penalties.

SSB 86 Human Resources

Repealing the hospital licensing chapter of the Code.

SSB 87 Human Resources

Allowing the department of health to establish standards and inspection fees for swimming pools, spas, and bathing beaches, to enter into agreement with county boards of health for the inspection, enforcement, and fee collection, and establishing a penalty.

SSB 88 Human Resources

Relating to the licensure of certain residential care facilities caring for certain children.

SSB 89 Human Resources

Relating to the rights of a person having mental retardation or a developmental disability.

SSB 90 Judiciary

Making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent.

SSB 91 Judiciary

To create the crime of shoplifting, provide penalties and establish special provisions governing evidence in shoplifting cases.

SSB 92 Judiciary

Relating to the accrual of prejudgment interest after a refusal to accept an offer to confess judgment.

SSB 93 Judiciary

Relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

SSB 94 Education

Relating to the private instruction received by certain children between the ages of seven and sixteen.

SSB 95 Education

To require that standardized examinations be given to students by boards of school districts and authorities in charge of nonpublic schools.

LEGISLATIVE PHYSICIAN OF THE DAY

Dr. George Kappos, M.D., Ankeny, Ia.

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: January 30, 1985, 2:40 p.m.

Members Present: Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Carr, Chair (excused).

Final Bill Action: SENATE FILE 57, a bill for an act relating to a state lottery by providing for a state lottery operated by the state racing commission, a lottery director, 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 penalties, providing that revenue generated shall be distributed to the general fund, and providing for repeal of the Act.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3067.

Final Vote: Ayes, 8: Coleman, Corning, Gentleman, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, 3: Dieleman, Drake and Horn. Absent or not voting, 2: Carr and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 90, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Nystrom, Bruner, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, 1: Coleman. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills and governor's appointees to subcommittees.

Adjourned: 4:00 p.m.

AMENDMENTS FILED

S-3058	S. F.	57	William W. Dieleman
S-3059	S. F.	57	Norman G. Rodgers
S-3060	S. F.	57	Ray Taylor
S-3061	S. F.	57	Ray Taylor
S-3062	S. F.	57	Edgar H. Holden
S-3063	S. F.	57	William W. Dieleman Joe Brown
S-3064	S. F.	57	William W. Dieleman
S-3065	S. F.	57	William W. Dieleman
S-3066	S. F.	57	William W. Dieleman
S-3067	S. F.	57	State Government
S-3068	S. F.	57	Michael Gronstal
S-3069	S. F.	57	David M. Readinger George R. Kinley Edgar H. Holden John E. Soorholtz William D. Palmer Berl E. Priebe Julia Gentleman Tom Lind Joe Brown Richard F. Drake Arne Waldstein Milo Colton Donald Doyle
S-3070	S. F.	112	William W. Dieleman Richard F. Drake Forrest V. Schwengels

ADJOURNMENT

On motion of Senator Welsh, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Thursday, January 31, 1985.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 31, 1985

The Senate met in regular session at 9:06 a.m., President pro tempore Rodgers presiding.

Prayer was offered by the Reverend Jerry Hambleton, pastor of the Christian Church Disciples of Christ, Chariton, Iowa.

The Journal of Wednesday, January 30, 1985, was approved.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:12 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: January 30, 1985, 9:34 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Presentations by the Iowa Development Commission.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 30, 1985, 9:40 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Lind, Ranking Member (arrived 9:45 a.m.); Nystrom and Small.

Committee Business: Budget hearing on the Department of Public Instruction and Education Block Grant.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN RIGHTS

Convened: January 30, 1985, 9:35 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Department of Health gave overview and budget requests for maternal and child health, personal and family health and preventative health and health services.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 30, 1985, 9:35 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Sandra Scott, Deputy Commissioner of Social Services, Department of Human Services, described and gave examples of ADC Schedule of Need and spoke on the governor's and DHS recommendations concerning state supplemental assistance, medical assistance and medical contracts.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 30, 1985, 9:40 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member and Waldstein.

Members Absent: Carr (excused).

Committee Business: Presentation of budget requests by Dick Ramsey, Director of Criminal and Juvenile Justice Planning Agency and Ben Yarrington, Director of the Law Enforcement Academy.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 30, 1985, 9:40 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Other Committee Business: Presentation by Larry Wilson, Director of the State Conservation Commission.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 30, 1985, 9:40 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member and Rodgers.

Members Absent: Jensen.

Committee Business: Budget presentations by OSHA Review Comm., Board of Landscape Architectural Examiners and the Beer & Liquor Department.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 30, 1985, 9:33 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member; Corning and Mann.

Members Absent: none.

Committee Business: Presentation of the operating budget for the Department of General Services.

Adjourned: 11:33 a.m.

ENERGY & ENVIRONMENT

Convened: January 30, 1985, 8:05 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; A. Miller, Gronstal, Soorholtz, Rife and Hultman.

Members Absent: Carr and Brown (both excused).

Committee Business: Assigned bills to subcommittees; legislative priorities were presented by the Energy Policy Council.

Adjourned: 8:50 a.m.

NATURAL RESOURCES

Convened: January 30, 1985, 8:00 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Goodwin, Gratias, Hannon, Husak, Neighbour, Rodgers (arrived 8:40 a.m.) and Tieden.

Members Absent: Doyle, Hester and Schwengels, Ranking Member.

Committee Business: Assigned bills to subcommittees; presentation by the Water & Waste Management Department.

Adjourned: 9:01 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 101

COMMERCE: Holden, Chair; Deluhery and Hutchins

Senate File 48

STATE GOVERNMENT: Horn, Chair; Rife and Welsh

Senate File 51

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels

Senate File 52

STATE GOVERNMENT: Drake, Chair; Horn and C. Miller

Senate File 55

NATURAL RESOURCES: Tieden, Chair; Hester and Neighbour

Senate File 57

WAYS AND MEANS: Palmer, Chair; Dieleman, Gratias, Rodgers and Soorholtz

Senate File 73

TRANSPORTATION: Gettings, Chair; Drake and Doyle

Senate File 75

NATURAL RESOURCES: Hester, Chair; Hannon and Goodwin

Senate File 79

STATE GOVERNMENT: Dieleman, Chair; Nystrom and Horn

Senate File 81

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 83

STATE GOVERNMENT: Bruner, Chair; Mann and Drake

Senate File 84

LOCAL GOVERNMENT: Hall, Chair; Wells and Waldstein

Senate File 86

TRANSPORTATION: Gettings, Chair; Drake and Doyle

Senate File 88

COMMERCE: Palmer, Chair; Hutchins and Holden

Senate File 89

EDUCATION: Brown, Chair; Gratias and Murphy

Senate File 90

STATE GOVERNMENT: Corning, Chair; Schwengels and Mann

Senate File 93

EDUCATION: Brown, Chair; Gratias and Murphy

Senate File 96

TRANSPORTATION: Gettings, Chair; Drake and Doyle

Senate File 102

APPROPRIATIONS: Welsh, Chair; Tieden and Gronstal

Senate File 103

LOCAL GOVERNMENT: A. Miller, Chair; Priebe and Vande Hoef

Senate File 119

JUDICIARY: Mann, Chair; Ritsema and Horn

Senate File 120

JUDICIARY: Hester, Chair; Ritsema and Deluhery

Senate Concurrent Resolution 5

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

SSB 43

ENERGY & ENVIRONMENT: Gronstal, Chair; Brown, Carr, Soorholtz and Rife

SSB 44

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife

SSB 45

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife

SSB 46

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife

SSB 47

NATURAL RESOURCES: Hannon, Chair; Gratias and Husak

SSB 53

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 55

NATURAL RESOURCES: Rodgers, Chair; Husak and Gratias

SSB 56

JUDICIARY: Small, Chair; Ritsema and Mann

SSB 57

JUDICIARY: Ritsema, Chair; Mann and Doyle

SSB 58

HUMAN RESOURCES: Carr, Chair; Murphy and Gratias

SSB 59

HUMAN RESOURCES: Hannon, Chair; C. Miller and Readinger

SSB 60

EDUCATION: Corning, Chair; Hannon and Murphy

SSB 61

JUDICIARY: Horn, Chair; Hester and Coleman

SSB 62

STATE GOVERNMENT: Bruner, Chair; Mann and Drake

SSB 63

ENERGY & ENVIRONMENT: Bruner, Chair; Corning and Colton

SSB 64

LABOR & INDUSTRIAL RELATIONS: Deluhery, Chair; Hultman and Welsh

SSB 65

LOCAL GOVERNMENT: A. Miller, Chair; Neighbour and Waldstein

SSB 66

NATURAL RESOURCES: Neighbour, Chair; Goodwin and Doyle

SSB 71

JUDICIARY: Small, Chair; Ritsema and Coleman

SSB 72

APPROPRIATIONS: Gronstal, Chair; Lind and Dieleman

SSB 73

JUDICIARY: Carr, Chair; Doyle and Gentleman

SSB 74

JUDICIARY: Mann, Chair; Small and Ritsema

SSB 75

JUDICIARY: Small, Chair; Ritsema and Deluhery

SSB 76

JUDICIARY: Gentleman, Chair; Holt and Dieleman

SSB 77

APPROPRIATIONS: Small, Chair; Holt and Deluhery

SSB 78

APPROPRIATIONS: Welsh, Chair; Ritsema, Schwengels, Small and Murphy

SSB 79

APPROPRIATIONS: Murphy, Chair; Gentleman and Small

SSB 80

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

SSB 90

JUDICIARY: Small, Chair; Mann and Ritsema

SSB 91

JUDICIARY: Holt, Chair; Dieleman and Hester

SSB 92

JUDICIARY: Mann, Chair; Small and Ritsema

SSB 93

JUDICIARY: Small, Chair; Ritsema and Doyle

SSB 94

EDUCATION: Taylor, Chair; Gratias and Brown

SSB 95

EDUCATION: Brown, Chair; Gratijs and Colton

AMENDMENTS FILED

S-3071	S. F.	57	Ray Taylor
S-3072	S. F.	57	Ray Taylor
S-3073	S. F.	57	George R. Kinley
S-3074	S. F.	57	George R. Kinley
S-3075	S. F.	57	Lowell L. Junkins
S-3076	S. F.	57	Lowell L. Junkins

AFTERNOON SESSION

The Senate reconvened at 2:40 p.m., President pro tempore Rodgers presiding.

INTRODUCTION OF BILLS

Senate File 141, by Bruner, a bill for an act relating to the definition of poor person for the granting of county general relief.

Read first time and passed on file.

Senate File 142, by Rodgers, a bill for an act to discontinue the standing appropriation from the primary road fund to the department of transportation for the purpose of paying awards and judgments on tort claims arising out of activities of that department.

Read first time and passed on file.

Senate File 143, by Horn, a bill for an act relating to the evidentiary standard for the dissolution of marriage.

Read first time and passed on file.

Senate File 144, by Horn, a bill for an act to appropriate funds to the department of public instruction for educational excellence grants.

Read first time and passed on file.

Senate File 145, by Horn, a bill for an act permitting the winning of cash prizes not to exceed fifty dollars per night at an annual game night conducted by a qualified organization licensed to conduct games of skill, chance and raffles.

Read first time and passed on file.

Senate File 146, by Horn, a bill for an act relating to the acknowledgement of certain founded child abuse cases.

Read first time and passed on file.

Senate File 147, by Horn, a bill for an act requiring the court to honor an antenuptial agreement before granting a dissolution of marriage.

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

Senate File 148, by Horn, a bill for an act to require a refund of a gun season deer license held by a person taking a deer with a bow season deer license.

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

Senate File 149, by Committee on Education, a bill for an act relating to the acceptance of the federal rehabilitation Acts.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gratias for the afternoon on request of Senator Hultman.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 10.

Senate Concurrent Resolution 10

On motion of Senator Junkins, Senator Concurrent Resolution 10, a resolution to encourage and support the governor and the Iowa development commission in their efforts to convince the general motors corporation to locate the new saturn factory in Iowa, was taken up for consideration.

Senator Junkins moved the adoption of Senate Concurrent Resolution 10, which motion prevailed by a voice vote and the resolution was adopted.

Senator Junkins asked and received unanimous consent that **Senate Concurrent Resolution 10** be immediately messaged to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 57.

Senate File 57

On motion of Senator Kinley, Senate File 57, a bill for an act relating to a state lottery by providing for a state lottery operated by the state racing commission, a lottery director, 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 penalties, providing that revenue generated shall be distributed to the general fund, and providing for repeal of the Act, with report of committee on Ways and Means and report of committee on State Government recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—3067 filed by the committee on State Government on January 30, 1985, to pages 3, 4, 5, 8, 9 and 16 of the bill.

Senator Kinley called for a division of amendment S—3067:

Division S—3067A: Lines 2 through 6, lines 10 through 31, line 50 and page 2.

Division S—3067B: Page 1, lines 7 through 9.

Division S—3067C: Page 1, lines 32 through 49.

Senator Carr moved the adoption of division S—3067A, which motion prevailed by a voice vote.

Senator Holden asked and received unanimous consent that action on division S—3067B be deferred.

Senator Carr moved the adoption of division S—3067C, which motion prevailed by a voice vote.

Senator Husak took the chair at 3:30 p.m.

Senator Kinley offered amendment S—3038 filed by the committee on Ways and Means on January 28, 1985, to pages 6, 7, 9, 12 and 13 of the bill and moved its adoption.

Amendment S—3038 was adopted by a voice vote.

Senator Welsh offered amendment S—3082 filed by Senators Welsh and Horn from the floor to pages 1, 2, 3, 8, 9 and 12 through 15 of the bill.

Senator Junkins offered amendment S—3084 filed by him from the floor to amendment S—3082 and moved its adoption.

Amendment S—3084 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—3082 as amended.

A record roll call was requested.

On the question "Shall amendment S—3082 as amended be adopted?" (S.F. 57) the vote was:

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

Ayes, 20:

Boswell	Bruner	Carr	Deluhery
Dieleman	Gronstal	Hall	Hannon
Horn	Hultman	Hutchins	Jensen
Junkins	Miller, A.V.	Murphy	Small
Tieden	Vande Hoef	Wells	Welsh

Nays, 28:

Brown	Coleman	Colton	Corning
Doyle	Drake	Gentleman	Gettings
Goodwin	Hester	Holden	Holt
Husak	Kinley	Lind	Mann
Miller, C.P.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Waldstein

Absent or not voting, 2:

Gratias	Schwengels
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Amendment S—3082 as amended lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the remainder of the day on request of Senator Hultman.

Senator Rodgers took the chair at 4:45 p.m.

BUSINESS PENDING

The Senate resumed consideration of Senate File 57.

Senator Readinger offered amendment S—3069 filed by Senators Readinger, et al., on January 30, 1985, to pages 1 and 15 and to the title page of the bill and called for a division:

Division S—3069A: Page 1, lines 2 through 29 and lines 36 through 50; page 2, lines 1 through 10.

Division S—3069B: Page 1, lines 30 through 35 and page 2, lines 11 through 14.

Senator Taylor offered amendment S—3078 filed by him from the floor to amendment S—3069 and called for a division:

Division S—3078A: Lines 3 through 10 and lines 13 through 20.

Division S—3078B: Lines 11 and 12.

Senator Taylor moved the adoption of division S—3078A to division S—3069A.

A non record roll call was requested.

The ayes were 14, nays 33.

Division S—3078A lost.

Senator Taylor withdrew division S—3078B to division S—3069B.

Senator Taylor withdrew amendment S—3090 to division S—3069B filed by him from the floor.

Senator Readinger asked and received unanimous consent that action on divisions S—3067B, S—3069A and S—3069B be deferred.

(Senate File 57 pending on adjournment).

INTRODUCTION OF BILLS

Senate File 150, by Committee on Education, a bill for an act relating to the appointment date for a secretary of a school board.

Read first time and placed on calendar.

Senate File 151, by Bruner, a bill for an act to provide for a report on tax expenditure.

Read first time and passed on file.

Senate File 152, by Horn, a bill for an act to provide for an exemption from physical education for students participating in marching band.

Read first time and passed on file.

Senate File 153, by Gettings, a bill for an act relating to the actual, assessed and taxable value of property for property tax purposes and providing for an effective date.

Read first time and passed on file.

Senate File 154, by Committee on State Government, a bill for an act relating to the duties of the secretary for the state board of engineering examiners.

Read first time and placed on calendar.

Senate File 155, by Carr, a bill for an act providing an exemption from the state sales, service, and use tax on the purchase of tangible personal property by a nonprofit organization which lends the property to the general public for nonprofit purposes.

Read first time and passed on file.

APPENDIX

SENATE STUDY BILLS

SSB 96 Transportation

Relating to the imposition of a local option wheel tax by referendum and providing penalties.

SSB 97 Ways and Means

Relating to the lease of computer services and facilities including the leasing of related real and personal properties and facilities by public bodies, including state boards, departments, agencies and authorities and cities and counties, and including the levy of taxes by participating cities and counties, taking effect upon publication.

SSB 98 Ways and Means

Exempting the amount of social security benefits received from the state individual income tax and making it retroactive.

SSB 99 Ways and Means

Relating to a state lottery by providing for a state lottery, a lottery commissioner, 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 penalties, providing that revenue generated shall be distributed to the general fund and that a portion shall be appropriated for the provision of medical care for the medically indigent, and providing for repeal of the Act.

SSB 100 Education

Relating to administrative endorsements and certificates issued by the board of educational examiners.

SSB 101 Education

Relating to the procedure for adding moneys in a school district's budget for moneys collected under section 302.3, Code 1981.

SSB 102 Education

Relating to the weighting per pupil for shared programs of school districts.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: January 30, 1985, 3:37 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: Gratias, Ranking Member (excused).

Final Bill Action: SENATE FILE 149 (SSB 35), a bill for an act relating to the acceptance of the federal rehabilitation Acts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Horn, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 150 (SSB 60), a bill for an act relating to the appointment date for a secretary of a school board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Horn, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:32 p.m.

**FURTHER
REPORT OF COMMITTEE MEETING**

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 210 of the Senate Journal.

Final Bill Action: SENATE FILE 154 (SSB 46), a bill for an act relating to the duties of the secretary for the state board of engineering examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dieleman, Nystrom, Bruner, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh. Nays, 2: Coleman and Schwengels. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3077	S. F.	57	William W. Dieleman
S-3078	S. F.	57	Ray Taylor
S-3079	S. F.	57	Lowell L. Junkins
S-3080	S. F.	57	Lowell L. Junkins
S-3081	S. F.	57	Edgar H. Holden
S-3082	S. F.	57	Joe Welsh Wally Horn
S-3083	S. F.	57	Joe J. Welsh
S-3084	S. F.	57	Lowell L. Junkins
S-3085	S. F.	57	Beverly A. Hannon
S-3086	S. F.	57	Beverly A. Hannon
S-3087	S. F.	57	Arne Waldstein
S-3088	S. F.	57	Michael Gronstal
S-3089	S. F.	57	Edgar H. Holden
S-3090	S. F.	57	Ray Taylor
S-3091	S. F.	57	Richard F. Drake
S-3092	S. F.	57	Joe J. Welsh
S-3093	S. F.	65	Charles P. Miller

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:30 p.m., until 8:30 a.m., Friday, February 1, 1985.

JOURNAL OF THE SENATE

NINETEENTH CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 1, 1985

The Senate met in regular session at 8:50 a.m., President pro tempore Rodgers presiding.

Prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

The Journal of Thursday, January 31, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holt and Gratijs for the day on request of Senator Hultman; Senators Deluhery and Doyle for the day on request of Senator Hutchins.

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.

COMMITTEE ON MEMORIALS

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Miller of Des Moines, Chair; Coleman, Taylor and Tieden.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 79

On motion of Senator Brown, Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date, with report of committee on State Government recommending passage, was taken up for consideration.

Senator Brown asked and received unanimous consent to withdraw amendment S—3029 filed by Senators Gratias and Brown on January 24, 1985, to page 4 of the bill.

Senator Brown offered amendment S—3039 filed by Senators Gratias and Brown on January 28, 1985, to pages 4 and 7 of the bill and moved its adoption.

Amendment S—3039 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on Senate File 79 be deferred.

UNFINISHED BUSINESS
(Pending January 31, 1985)

Senate File 57

The Senate resumed consideration of Senate File 57, a bill for an act relating to a state lottery by providing for a state lottery operated by the state racing commission, a lottery director, 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 penalties, providing that revenue generated shall be distributed to the general fund, and providing for repeal of the Act, and divisions S—3067B, S—3069A and S—3069B, pending on January 31, 1985.

Senator Small offered amendment S—3095 filed by Senators Junkins, et al., from the floor to pages 1, 2, 3, 8, 9, 12 through 16 and to the title page of the bill.

Senator Gentleman raised the point of order that amendment S—3095 was out of order because the same subject matter had previously been considered in amendment S—3082.

The Chair ruled the point not well taken and amendment S—3095 in order.

Senator Small called for a division of amendment S—3095:

Division S—3095A: Page 2, lines 40 through 49.

Division S—3095B: Page 1; page 2, lines 1 through 39 and line 50; pages 3, 4 and 5.

Senator Coleman took the chair at 9:55 a.m.

Senator Small asked and received unanimous consent to withdraw division S—3095A.

Senator Small moved the adoption of division S—3095B, which motion prevailed by a voice vote.

With the adoption of division S—3095B, the Chair ruled the following amendments out of order:

Amendment S—3068 filed by Senator Gronstal on January 30, 1985, to pages 15 and 16 of the bill.

Divisions S—3069A and S—3069B by Senators Readinger, et al., to pages 1, 15 and the title page of the bill, deferred on January 31, 1985.

Amendment S—3074 filed by Senator Kinley on January 31, 1985, to pages 2, 6 and 12 of the bill.

Amendment S—3079 filed by Senator Junkins on January 31, 1985, to pages 1, 2, 3, 5, 6, 9 and 12 of the bill.

Amendment S—3088 filed by Senator Gronstal on January 31, 1985, to pages 15 and 16 and the title page of the bill.

Senator Junkins offered amendment S—3080 filed by him on January 31, 1985, to pages 2, 3, 5, 6 and 12 of the bill and called

for a division: lines 5 through 10 as division S—3080A; lines 1 through 4 and 11 through 20 as division S—3080B.

Senator Junkins withdrew division S—3080A.

Senator Junkins moved the adoption of division S—3080B, which motion prevailed by a voice vote.

Senator Dieleman asked and received unanimous consent that action on amendment S—3077 filed by him on January 31, 1985, to page 3 of the bill, be deferred.

Senator Taylor offered amendment S—3060 filed by him on January 30, 1985, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 33.

Amendment S—3060 lost.

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 division S—3067A to Senate File 57 was adopted by the Senate on January 31, 1985.

The motion prevailed by a voice vote and division S—3067A by the committee on State Government to pages 3, 4, 5, 8 and 16 of the bill, was taken up for reconsideration.

Senator Holden offered amendment S—3089 filed by him on January 31, 1985, to divisions S—3067A and S—3067B (deferred January 31, 1985) and called for a division: lines 10 through 18 as division S—3089A; lines 3 through 9 as division S—3089B; lines 19 through 48 as division S—3089C.

Senator Holden withdrew division S—3089C to division S—3067A.

Senator Holden moved the adoption of division S—3089A to division S—3067A, which motion prevailed by a voice vote.

Senator Taylor called for a further division of division S—3067A as amended: lines 27 through 29 as division S—3067D.

Senator Carr moved the adoption of division S—3067A as amended, which motion prevailed by a voice vote.

Senator Carr moved the adoption of division S—3067D and requested a record roll call.

On the question “Shall division S—3067D be adopted? (S.F. 57) the vote was:

Ayes, 32:

Brown	Bruner	Carr	Coleman
Colton	Corning	Drake	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Rodgers	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 11:

Boswell	Dieleman	Goodwin	Hester
Holden	Jensen	Lind	Ritsema
Schwengels	Taylor	Vande Hoef	

Absent or not voting, 7:

Deluhery	Doyle	Gratias	Holt
Hultman	Nystrom	Waldstein	

Division S—3067D was adopted.

Senator Holden moved the adoption of division S—3089B to division S—3067B.

A record roll call was requested.

On the question “Shall division S—3089B to division S—3067B be adopted? (S.F. 57) the vote was:

Ayes, 15:

Boswell	Bruner	Corning	Dieleman
Gentleman	Goodwin	Hannon	Hester
Holden	Jensen	Palmer	Ritsema
Schwengels	Taylor	Vande Hoef	

Nays, 30:

Brown	Carr	Coleman	Colton
Drake	Gettings	Gronstal	Hall
Horn	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Priebe	Readinger	Rife	Rodgers
Small	Soorholtz	Tieden	Waldstein
Wells	Welsh		

Absent or not voting, 5:

Deluhery	Doyle	Gratias	Holt
Hultman			

Division S—3089B lost.

Senator Carr moved the adoption of division S—3067B.

A non record roll call was requested.

The ayes were 29, nays 15.

Division S—3067B was adopted.

Senator Dieleman withdrew amendment S—3077 to page 3 of the bill, previously deferred.

Senator Rodgers took the chair at 11:35 a.m.

Senator Dieleman offered amendment S—3097 filed by Senators Dieleman and Gentleman from the floor to page 3 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3097 be adopted?" (S.F. 57) the vote was:

Ayes, 21:

Boswell	Bruner	Corning	Drake
Gentleman	Goodwin	Hannon	Hester
Holden	Jensen	Miller, A.V.	Nystrom
Readinger	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 25:

Brown	Carr	Coleman	Colton
Dieleman	Gettings	Gronstal	Hall

Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Rodgers	Small	Wells
Welsh			

Absent or not voting, 4:

Deluhery	Doyle	Gratias	Holt
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Amendment S—3097 lost.

The Chair ruled amendment S—3062 filed by Senator Holden on January 30, 1985, to pages 4, 5, 6, 8, 9, 10, 12, 13 and 16 out of order.

The Chair ruled amendment S—3081 filed by Senator Holden on January 31, 1985, to amendment S—3062, out of order.

Senator Dieleman offered amendment S—3065 filed by him on January 30, 1985, to pages 5 and 11 of the bill and moved its adoption.

Amendment S—3065 lost by a voice vote.

The Chair ruled amendment S—3071 filed by Senator Taylor on January 31, 1985, to page 6 of the bill, out of order.

Senator Junkins offered amendment S—3075 filed by him on January 31, 1985, to page 6 of the bill and moved its adoption.

Amendment S—3075 was adopted by a voice vote.

With the adoption of amendment S—3075, the Chair ruled amendment S—3076 filed by Senator Junkins on January 31, 1985, to page 6 of the bill, out of order.

Senator Hannon offered amendment S—3085 filed by her on January 31, 1985, to page 6 of the bill and moved its adoption.

Amendment S—3085 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

The Senate resumed consideration of Senate File 57.

With the adoption of amendment S—3085, the Chair ruled amendment S—3086 filed by Senator Hannon on January 31, 1985, to page 6 of the bill, out of order.

Senator Small offered amendment S—3096 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3096 was adopted by a voice vote.

Senator Waldstein withdrew amendment S—3087 filed by him on January 31, 1985, to page 6 of the bill.

Senator Dieleman offered amendment S—3066 filed by him on January 30, 1985, to page 6 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holden for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

The Senate resumed consideration of Senate File 57.

Senator Dieleman moved the adoption of amendment S—3066, which lost by a voice vote.

Senator Dieleman offered amendment S—3058 filed by him on January 30, 1985, to page 6 of the bill and moved its adoption.

Amendment S—3058 lost by a voice vote.

Senator Taylor withdrew amendment S—3072 filed by him on January 31, 1985, to page 6 of the bill.

Senator Waldstein offered amendment S—3101 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3101 was adopted by a voice vote.

Senator Dieleman offered amendment S—3064 filed by him on January 30, 1985, to page 6 of the bill and moved its adoption.

Amendment S—3064 was adopted by a voice vote.

Senator Welsh offered amendment S—3083 filed by him on January 31, 1985, to page 6 of the bill and moved its adoption.

Amendment S—3083 was adopted by a voice vote.

Senator Welsh withdrew amendment S—3092 filed by him on January 31, 1985, to pages 6, 7 and 14 of the bill.

Senator Welsh offered amendment S—3094 filed by him from the floor to pages 6, 7, 14 and the title page of the bill and moved its adoption.

Amendment S—3094 was adopted by a voice vote.

Senator Dieleman offered amendment S—3063 filed by Senators Dieleman and Brown on January 30, 1985, to pages 6 and 7 of the bill.

Senator Welsh took the chair at 1:05 p.m.

Senator Hultman raised a point of order that amendment S—3063 was not germane to the bill.

The Chair ruled the not well taken and amendment S—3063 in order.

Senator Dieleman moved the adoption of amendment S—3063, which motion prevailed by a voice vote.

Senator Kinley offered amendment S—3073 filed by him on January 31, 1985, to page 13 of the bill and moved its adoption.

Amendment S—3073 was adopted by a voice vote.

Senator Taylor offered amendment S—3061 filed by him on January 30, 1985, to page 15 of the bill.

Senator Kinley raised a point of order that amendment S—3061 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3061 out of order.

With the adoption of division S—3095B, the Chair ruled amendment S—3091 filed by Senator Drake on January 31, 1985, to page 15 of the bill, out of order.

Senator Rodgers offered amendment S—3059 filed by him on January 30, 1985, to page 16 of the bill.

Senator Gronstal offered amendment S—3100 filed by him from the floor to amendment S—3059 and moved its adoption.

Amendment S—3100 to amendment S—3059 lost by a voice vote.

Senator Rodgers moved the adoption of amendment S—3059, which motion prevailed by a voice vote.

Senator Junkins raised the point of order that the division of amendment S—3095, previously called for and considered, was out of order.

The Chair ruled the point well taken and amendment S—3095 not divisible.

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—3095 to Senate File 57 was adopted by the Senate on February 1, 1985.

The motion prevailed by a voice vote and amendment S—3095 to pages 1, 2, 3, 8, 9, 12, 13, 14, 15, 16 and to the title page of the bill, was taken up for reconsideration.

Senator Junkins offered amendment S—3098 filed by Senators Junkins and Hultman from the floor to amendment S—3095 and moved its adoption.

Amendment S—3098 was adopted by voice vote.

Senator Junkins moved the adoption of amendment S—3095 as amended.

A non record roll call was requested.

The ayes were 33, nays 7.

Amendment S—3095 as amended was adopted.

Senator Dieleman asked and received unanimous consent to withdraw amendment S—3102 filed by Senators Dieleman and Gentleman from the floor to amendment S—3077 (previously withdrawn).

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—3097 to Senate File 57 failed to be adopted by the Senate on February 1, 1985.

The motion prevailed by a voice vote and amendment S—3097 to page 3 of the bill, was taken up for reconsideration.

Senator Dieleman offered amendment S—3103 filed by Senators Dieleman and Gentleman from the floor to amendment S—3097 and moved its adoption.

Amendment S—3103 was adopted by a voice vote.

Senator Dieleman moved the adoption of amendment S—3097 as amended.

A record roll call was requested.

On the question "Shall amendment S—3097 as amended be adopted?" (S.F. 57) the vote was:

Ayes, 21:

Boswell	Bruner	Corning	Dieleman
Drake	Gentleman	Goodwin	Hannon
Hester	Jensen	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Vande Hoef			

Nays, 21:

Brown	Carr	Coleman	Colton
Gettings	Gronstal	Hall	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Murphy	Neighbour

Nystrom Welsh	Rodgers	Waldstein	Wells
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Absent or not voting, 8:

Deluhery Holt	Doyle Horn	Gratias Schwengels	Holden Tieden
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Amendment S—3097 lost.

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. 57) the vote was:

Ayes, 31:

Brown	Carr	Coleman	Colton
Corning	Gentleman	Gettings	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Rodgers	Soorholtz
Waldstein	Wells	Welsh	

Nays, 12:

Boswell	Bruner	Dieleman	Drake
Goodwin	Hester	Jensen	Nystrom
Ritsema	Small	Taylor	Vande Hoef

Absent or not voting, 7:

Deluhery Holt	Doyle Schwengels	Gratias Tieden	Holden
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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.

President pro tempore Rodgers took the chair at 2:05 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 4, by Readinger, a resolution proposing an amendment to the temporary rules of the senate on lobbying.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 156, by Bruner, a bill for an act relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, to change the method of administering the state scholarship program, and to make an appropriation.

Read first time and passed on file.

Senate File 157, by Husak, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans.

Read first time and passed on file.

Senate File 158, by Welsh and Carr, a bill for an act relating to registration plates for antiquated motorcycles.

Read first time and passed on file.

Senate File 159, by Vande Hoef, a bill for an act eliminating penalties for registrations of snowmobiles which have not been registered for two subsequent registration periods.

Read first time and passed on file.

Senate File 160, 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.

Senate File 161, by Wells, a bill for an act relating to smoking in public places and public meetings and applying penalties.

Read first time and passed on file.

Senate File 162, by Horn, a bill for an act relating to the care of neglected or estray animals.

Read first time and passed on file.

Senate File 163, by Committee on Natural Resources, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

Read first time and placed on calendar.

Senate File 164, by Horn, a bill for an act requiring the state board of regents to waive tuition for certain teachers under certain conditions.

Read first time and passed on file.

Senate File 165, by Waldstein, a bill for an act providing for a refund of registration fees for certain vehicles which are sold, traded or junked.

Read first time and passed on file.

Senate File 166, by Miller of Des Moines, a bill for an act to authorize the setting of seasons for pigeons.

Read first time and passed on file.

Senate File 167, by Holden, Gettings, Coleman, Colton, Tieden, Taylor, Jensen, Mann, Miller of Des Moines, Welsh, Husak, Priebe, Neighbour, Doyle, Ritsema, Holt, Palmer and Horn, a bill for an act relating to the responsibility for the removal of natural accumulations of snow and ice from sidewalks.

Read first time and passed on file.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION**

Convened: January 31, 1985, 9:45 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Presentation by Edward J. Stanek, Director of the Office of Planning and Programming.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 31, 1985, 9:55 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Lind, Ranking Member (arrived 10:00 a.m.) and Small.

Members Absent: Nystrom.

Committee Business: Subcommittee approved and submitted proposed block grant bill to the full Appropriations Committee.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 31, 1985, 9:45 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Department of Health gave overview and budget requests for community health and health planning and disease prevention.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 31, 1985, 9:45 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Sandra Scott, Deputy Commissioner of Social Services, Department of Human Services, spoke on program descriptions and budget requests for family centered services, subsidized adoption, foster care and community based services.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 31, 1985, 9:50 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member and Waldstein.

Members Absent: Carr (excused).

Committee Business: Presentation from the Judicial Department—courts budget proposals.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 31, 1985, 9:50 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Presentations by Dr. T. Al Austin, Director, Iowa State Water Research Institute and Robert Lounsberry, Secretary of Agriculture.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 31, 1985, 9:50 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Committee Business: Budget presentations by the Credit Union Department, Banking Department, Insurance Department and Auditor.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 31, 1985, 9:50 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member; Corning and Mann.

Members Absent: none.

Committee Business: Further presentation of budget requests for General Services.

Adjourned: 11:50 a.m.

HUMAN RESOURCES

Convened: January 31, 1985, 8:35 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Hannon, C. Miller, Vande Hoef and Taylor.

Members Absent: Carr (excused), Murphy, Readinger and Gratias.

Committee Business: Recommended confirmation of governor's appointees and assigned bills to subcommittees.

Adjourned: 8:43 p.m.

NATURAL RESOURCES

Convened: January 31, 1985, 11:30 a.m.

Members Present: Hall, Chair; Schwengels, Ranking Member; Doyle, Goodwin, Hester, Husak, Neighbour and Tieden.

Members Absent: Priebe, Vice Chair; Gratias, Hannon and Rodgers.

Final Bill Action: SENATE FILE 163, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Hall, Schwengels, Doyle, Goodwin, Hester, Husak, Neighbour and Tieden. Nays, none. Absent or not voting, 4: Priebe, Gratias, Hannon and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 12:10 p.m.

COMMUNICATION

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

INTERAGENCY COORDINATING COUNCIL ON RADIATION SAFETY

A copy of the State Radiation Safety Plan, pursuant to Sec. 136B.4, Code of Iowa.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 25, the following internal references were corrected:

1. Page 1, line 35, "144A.3" was changed to "144A.4".
2. Page 5, line 22, "144A.5" was changed to "144A.6".
3. Page 5, line 24, "144A.6" was changed to "144A.7".
4. Page 5, line 25, "144A.7" was changed to "144A.8".
5. Page 5, line 29, "144A.7" was changed to "144A.8".
6. Page 6, line 25, "144A.4" was changed to "144A.5".
7. Page 6, line 33, "144A.3" was changed to "144A.4".

K. MARIE THAYER
Secretary of the Senate

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Anderson announced the following appointments to statutory committees:

LEGISLATIVE COUNCIL (Section 2.41, Code of 1981)

Lieutenant Governor Robert T. Anderson, *ex officio*
Senator Norman Rodgers, President Pro Tempore
Senator Lowell Junkins, Senate Majority Leader
Senator Calvin O. Hultman, Senate Minority Leader
Senator Joe Welsh, Chair of Senate Appropriations Committee
Senator Dale Tieden, Minority Ranking Member of Senate Appropriations
Committee
Senator C. Joseph Coleman
Senator Donald Doyle
Senator Bill Hutchins
Senator Lee Holt
Senator David Readinger

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to further investigate the appointment of Leonard C. Larsen as a member of the Board of Social Work Examiners, completed its investigation on January 31, 1985, and recommended the appointment be confirmed.

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to further investigate the appointments of Ruth M. DeVries, Harriet Vande Hoef and Mark Wolraich as members of the State Foster Care Review Board, completed its investigation on January 31, 1985, and recommended the appointments be confirmed.

SENATE STUDY BILLS

SSB 103 Education

Relating to the evaluation of educational programs.

SSB 104 Labor and Industrial Relations

Making the one-week waiting period before the receipt of unemployment compensation benefits permanent.

SSB 105 Labor and Industrial Relations

Relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers.

SSB 106 Education

Relating to community education and providing an appropriation.

SSB 107 Human Resources

Relating to the operation of family day care homes and providing penalties.

SSB 108 Human Resources

Relating to certain domestic abuse programs coordinated by the department of human services.

SSB 109 Human Resources

To provide that money collected by the state department of transportation from civil fines imposed on persons whose motor vehicle license was revoked for test results or implied consent violations shall be used to finance a missing persons center and other child assistance programs.

PRESENTATION OF VISITORS

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

Forty-two students from Crestview Elementary School, West Des Moines, Iowa, accompanied by Miss Johnson and Miss Sedgwick. Senator Gentleman.

AMENDMENTS FILED

S-3094	S. F.	57	Joe Welsh
S-3095	S. F.	57	Lowell L. Junkins Arthur A. Small, Jr.

			Bill Hutchins
			John W. Jensen
			Michael E. Gronstal
			Forrest V. Schwengels
S-3096	S. F.	57	Arthur A. Small, Jr.
S-3097	S. F.	57	William W. Dieleman
			Julia Gentleman
S-3098	S. F.	57	Lowell L. Junkins
			Calvin O. Hultman
S-3099	S. F.	19	Richard F. Drake
S-3100	S. F.	57	Michael E. Gronstal
S-3101	S. F.	57	Arne Waldstein
S-3102	S. F.	57	William W. Dieleman
			Julia B. Gentleman
S-3103	S. F.	57	William W. Dieleman
			Julia B. Gentleman

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 2:18 p.m., until 10:00 a.m., Monday, February 4, 1985.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 4, 1985

The Senate met in regular session at 10:12 a.m., President pro tempore Rodgers presiding.

Prayer was offered by the Reverend Robert Bowers, pastor of the Independent Bible Church, Leon, Iowa.

The Journal of Friday, February 1, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 168, by Hutchins, a bill for an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits.

Read first time and passed on file.

Senate File 169, by Hutchins, a bill for an act relating to the monthly deposit or remittance of state income tax withheld and state sales and services tax collected and providing for partial remuneration for collecting the state sales and services tax.

Read first time and passed on file.

Senate File 170, by Brown, a bill for an act to license and regulate counselors and providing a penalty and an effective date.

Read first time and passed on file.

Senate File 171, by Taylor, a bill for an act relating to the certification of a bargaining representative for public employees under the public employment relations Act.

Read first time and passed on file.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 98.

Senate File 98

On motion of Senator Corning, Senate File 98, a bill for an act to provide for the granting of certificates of excellence to certain school boards by the state board of public instruction, was taken up for consideration.

Senator Lind offered amendment S—3047 filed by him on January 29, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3047 lost by a voice vote.

Senator Corning moved that the bill be read the last time now and placed upon 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. 98) the vote was:

Ayes, 35:

Boswell	Brown	Colton	Corning
Deluhery	Doyle	Drake	Gentleman
Gettings	Gratias	Hall	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Readinger	Rife	Ritsema
Rodgers	Schwengels	Soorholtz	Taylor
Waldstein	Wells	Welsh	

Nays, 14:

Bruner	Carr	Coleman	Dieleman
Goodwin	Gronstal	Holden	Holt
Lind	Mann	Palmer	Small
Tieden	Vande Hoef		

Absent or not voting, 1:

Priebe

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

Senate File 59

On motion of Senator Ritsema, Senate File 59, a bill for an act relating to the offense of using or exploding fireworks and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—3051 filed by him on January 29, 1985, to page 1 and to the title page of the bill.

Senator Ritsema raised the point of order that amendment S—3051 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3051 out of order.

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. 59) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

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

Senate File 117

On motion of Senator Hutchins, Senate File 117, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 117** be deferred.

Senate Junkins asked and received unanimous consent to take up for consideration **Senate File 163**.

Senate File 163

On motion of Senator Hall, Senate File 163, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state, 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. 163) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 5:

Coleman	Colton	Doyle	Murphy
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 that Senate File 163 be immediately messaged to the House.

BUSINESS PENDING

Senate File 117

The Senate resumed consideration of Senate File 117, previously deferred.

Senator Priebe offered amendment S—3106 filed by Senators Priebe, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—3106 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. 117) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Scorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 2:

Holden Small

Absent or not voting, 1:

Coleman

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

RECESS

On motion of Senator Junkins, the Senate recessed at 12:27 p.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President Anderson presiding.

QUORUM CALL

Senator Hutchins 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 RESOLUTIONS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Joint Resolution 1.

Senate Joint Resolution 1

On motion of Senator Coleman, Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **Senate Joint Resolution 1** be deferred.

Senate Concurrent Resolution 6

On motion of Senator Nystrom, Senate Concurrent Resolution 6, a resolution paying tribute to Robert A. Case and his memory, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom moved the adoption of Senate Concurrent Resolution 6.

A non record roll call was requested.

The ayes were 50, nays none.

The motion prevailed and Senate Concurrent Resolution 6 was adopted.

UNFINISHED BUSINESS (Deferred on February 1, 1985)

Senate File 79

The Senate resumed consideration of Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date, deferred on February 1, 1985.

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. 79) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gettings	Gratias	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Riterna	Rodgers	Soorholtz	Taylor
Wells	Welsh		

Nays, 16:

Carr	Drake	Gentleman	Goodwin
Hester	Holden	Holt	Hultman
Jensen	Readinger	Rife	Schwengels
Small	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

Senate Joint Resolution 1

The Senate resumed consideration of Senate Joint Resolution 1, previously deferred.

Senator Holden offered amendment S—3107 filed by him from the floor to strike everything after the enacting clause and to the title page of the resolution.

Senator Hutchins raised the point of order that amendment S—3107 was not germane to the resolution.

The Chair ruled the point well taken and amendment S—3107 out of order.

Senator Hutchins moved that the resolution be read the last time now, which motion prevailed by a voice vote, and the resolution was read the last time.

Senate Joint Resolution 1, 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 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 amendment, having been adopted and agreed to by the Seventieth General Assembly, thereafter duly published, and now adopted and agreed to by the Seventy-first General Assembly, in this Joint Resolution, shall be submitted to the people of the state of Iowa at the general election in November of the year nineteen hundred eighty-six (1986) in the manner required by the Constitution of the State of Iowa and the laws of the state of Iowa.

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

Yea, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Goodwin	Gratias	Gronstal	Hall
Hannon	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Readerger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Wells	Welsh	

Nays, 11:

Gettings	Hester	Holden	Holt
Jensen	Nystrom	Priebe	Taylor
Tieden	Vande Hoef	Waldstein	

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

Senator Gettings took the chair at 5:46 p.m.

INTRODUCTION OF BILLS

Senate File 172, by Jensen, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

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

Senate File 173, by Hutchins, a bill for an act providing that the possession, transportation, and warehousing of fireworks is a serious misdemeanor subject to the prescribed penalties.

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

Senate File 174, by Horn, a bill for an act relating to passing a vehicle on the right.

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

Senate File 175, by Schwengels, a bill for an act relating to and appropriating from the general fund of the state to the state department of agriculture for the reimbursement of multiflora rose eradication costs.

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

Senate File 176, 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 and providing an effective date.

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

Senate File 177, by Wells, a bill for an act relating to the formula used to calculate the annual readjustment of pensions under the peace officers' retirement system and the fire and police retirement systems.

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

Senate File 178, by Rodgers, a bill for an act relating to the handling and preservation of assessment rolls and assessment information.

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

Senate File 179, by Hester, a bill for an act relating to the fee charged by the sheriff for escorting persons to institutions.

Read first time and passed on file.

Senate File 180, by Taylor, a bill for an act which prohibits preventing or attempting to prevent a person from engaging in a lawful vocation in case of a labor dispute or otherwise and providing a penalty.

Read first time and passed on file.

Senate File 181, by Taylor, a bill for an act relating to unlawful picketing and making penalties applicable.

Read first time and passed on file.

Senate File 182, by Taylor, a bill for an act relating to the use of force, violence, or threats to impede a person from engaging in lawful employment, independent financial enterprise, or educational pursuit, and providing penalties.

Read first time and passed on file.

Senate File 183, by Doyle, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Read first time and passed on file.

APPENDIX

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to investigate the character and qualifications of H. May Roberts as a member of the State Foster Care Review Board, completed its investigation on February 4, 1985, and recommended the appointment be confirmed.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convèned: February 4, 1985, 3:33 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair (arrived 3:35 p.m.); Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Final Bill Action: SENATE FILE 35, a bill for an act relating to animal waste water pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees and discussed midwest agricultural meeting held in Chicago on February 2, 1985.

Adjourned: 4:09 p.m.

JUDICIARY

Convèned: January 31, 1985, 1:00 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Small, Taylor, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt and Horn.

Members Absent: Carr and Mann, Vice Chair.

Committee Business: Assigned bills to subcommittees; presentations by the attorney general and county attorney.

Adjourned: 2:05 p.m.

PETITIONS

The following petitions opposing state lottery legislation were presented and placed on file by:

Senator Dieleman from one hundred one residents of Mahaska, Jasper and Marion Counties.

Senator Vande Hoef from one hundred forty-seven residents of Osceola County.

Senator Hultman from five thousand forty-three residents of Iowa.

Senator Junkins from six hundred fifty-two residents of Iowa.

The following petitions were presented and placed on file by:

Senator Kinley from twenty-one residents of Polk County opposing legislation providing for mandatory seatbelt and motorcycle helmet use.

Senator Tieden from fifty residents of Clayton County opposing legislation allowing the lending of the IPERS fund to farmers.

SENATE STUDY BILLS

SSB 110 Education

A concurrent resolution relating to an individual's belief regarding the origin of life.

SSB 111 Judiciary

Relating to qualifications of sureties.

SSB 112 Judiciary

Providing for collective bargaining on a statewide basis with

certified employee organizations representing employees of the judicial department.

SSB 113 Judiciary

To replace mandatory reduction of sentences with mandatory parole dates.

SSB 114 Judiciary

Related to the operation of a motor vehicle while under the influence of alcohol or a drug.

SSB 115 Judiciary

Relating to discrimination on the basis of gender and marital status.

SSB 116 Judiciary

Prohibiting the use of good conduct time to reduce mandatory minimum sentences imposed by the court.

SSB 117 Judiciary

Relating to the custody of children by an abandoned spouse.

SSB 118 Judiciary

Relating to parental responsibility for damage to persons or property by a child.

SSB 119 Judiciary

Relating to the financial responsibility of parents for the support of children.

SSB 120 Judiciary

To provide the same remedy to men and women against a libel of defamatory statement imputing sexual misconduct.

SSB 121 Judiciary

Relating to the testimony and statements of child victims and witnesses.

SSB 122 Judiciary

Relating to the time period in which a prosecution for sexual abuse of a child under the age of ten years may be sought and providing a penalty.

SSB 123 Judiciary

Relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

SSB 124 Judiciary

Relating to the use of juvenile records in the sentencing of a person for an offense other than a simple misdemeanor.

SSB 125 Judiciary

Relating to the offenses of lascivious acts with a child and indecent contact with a child, and providing penalties.

SSB 126 Judiciary

Relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

SSB 127 Judiciary

Relating to the expunging of child abuse information.

SSB 128 Judiciary

To repeal the sunset clause in 1981 Iowa Acts chapter 23 creating the office of state appellate defender.

SSB 129 Judiciary

Increasing the penalty for impersonating a public official.

SSB 130 Judiciary

Relating to the release of information concerning a missing child.

SSB 131 Transportation

To allow the operation of a motor scooter by a person who has a motor vehicle operator's license not valid for the operation of a motorcycle.

SSB 132 Appropriations

Relating to supplemental appropriations of federal block grants for alcohol and drug abuse, community services, and community development, and providing an effective date.

SSB 133 State Government

Amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

SSB 134 Labor and Industrial Relations

Relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

SSB 135 Education

Relating to the official language of the state of Iowa.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	122	Local Government
S. F.	123	State Government
S. F.	124	Commerce
S. F.	125	Energy & Environment
S. F.	126	Energy & Environment
S. F.	127	Energy
S. F.	131	State Government
S. F.	132	Education
S. F.	133	Agriculture
S. F.	134	Ways and Means
S. F.	135	Ways and Means
S. F.	136	Ways and Means
S. F.	137	State Government
S. F.	138	State Government
S. F.	139	State Government
S. F.	140	State Government

S. F.	141	Local Government
S. F.	142	Appropriations
S. F.	143	Judiciary
S. F.	144	Appropriations
S. F.	145	State Government
S. F.	146	Human Resources
S. F.	147	Judiciary
S. F.	148	Natural Resources
S. F.	151	Ways and Means
S. F.	152	Education
S. F.	153	Ways and Means
S. F.	155	Ways and Means

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Chung Hsu, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-3104	S. F.	137	Julia B. Gentleman
S-3105	S. F.	13	Ray Taylor
S-3106	S. F.	117	Berl E. Priebe Bill Hutchins John Soorholtz Arne Waldstein
S-3107	S. J. R.	1	Edgar H. Holden
S-3108	S. F.	129	Milo Colton
S-3109	S. R.	3	James D. Wells William W. Dieleman Don E. Gettings Arne Waldstein Hurley W. Hall Ray Taylor John W. Jensen Jack W. Hester
S-3110	S. R.	3	Don E. Gettings
S-3111	S. F.	24	Charles Bruner Jack Rife
S-3112	S. F.	170	Joe Brown

S-3113	S. F.	129	Milo Colton
S-3114	S. F.	129	Milo Colton
S-3115	S. F.	112	William W. Dieleman
			Milo Colton
			Jack Rife

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Tuesday, February 5, 1985.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 5, 1985

The Senate met in regular session 9:07 a.m., President Anderson presiding.

Prayer was offered by the Reverend Gerald Stessman, pastor of the St. Mary's Catholic Church, Guthrie Center, Iowa, and St. Cecelia's Catholic Church, Panora, Iowa.

The Journal of Monday, February 4, 1985, was approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 5, by Committee on Ethics, a resolution to provide senate rules governing lobbyists for the seventy-first General Assembly.

Read first time and placed on calendar.

Senate Resolution 6, by Committee on Ethics, a resolution to provide a senate code of ethics.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:15 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Appropriations assigned to further investigate the appointment of Bass Van Gilst as a member of the State Board of Regents, completed its investigation on February 4, 1985, and recommended the appointment be confirmed.

Pursuant to Senate Rule 59, the Committee on Commerce assigned to further investigate the appointment of Lorenzo D. Creighton as a member of the Iowa State Civil Rights Commission, completed its investigation on February 5, 1984, and recommended the appointment be confirmed.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 4, 1985, 12:30 p.m.

Members Present: Welsh, Chair; Small, Vice Chair (arrived 12:33 p.m.); Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Colton, Murphy and Schwengels.

Committee Business: Recommended confirmation of governor's appointee to En Bloc Confirmation Calendar and assigned bills to subcommittees.

Adjourned: 12:35 p.m.

ETHICS

Convened: February 4, 1985, 1:32 p.m.

Members Present: Gettings, Chair; Kinley, Vice Chair; Taylor, Ranking Member; Drake and Small.

Nonlegislative Members Present: DeKoster and Schantz.

Members Absent: none.

Final Bill Action: SENATE RESOLUTION 5, a resolution providing for rules governing lobbyists for the seventy-first general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 7: Gettings, Kinley, Taylor, Drake, Small, DeKoster and Schantz.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 6, a resolution providing for the senate code of ethics for the seventy-first general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Gettings, Kinley, Taylor, Drake and DeKoster. Nays, none.
Absent or not voting, 2: Small and Schantz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 1:59 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 4, 1985, 3:30 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:37 p.m.

STATE GOVERNMENT

Convened: February 4, 1985, 2:34 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; ordered SSB 80 redrafted as a committee bill.

Adjourned: 2:55 p.m.

TRANSPORTATION

Convened: February 5, 1985, 1:32 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member (arrived 1:37 p.m.); Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: none.

Final Bill Action: SENATE CONCURRENT RESOLUTION 11, a resolution relating to public transportation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:40 p.m.

WAYS AND MEANS

Convened: February 4, 1985, 1:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell (arrived 1:38 p.m.), Dieleman, Gratias, Gronstal, Holden, Holt, Mann and Readinger.

Members Absent: Brown, Bruner, Rodgers and Soorholtz.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:40 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21 I report that in engrossing Senate File 57, the following internal references were corrected:

1. Page 1, line 5, "99E.101" was changed to "99E.18".
2. Page 1, line 14, "99E.105" was changed to "99E.21".
3. Page 19, line 21, "99E.101, 99E.102, 99E.103, and 99E.104" was changed to "99E.18, 99E.19, and 99E.20".
4. Page 20, line 8, "1 through 19" was changed to "1 through 28".

5. Amendment S—3095, page 1, line 48, "director" was changed to "director."

K. MARIE THAYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

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

Troop No. 3 of St. John's Church, Burlington—Oldest Chartered Boy Scout Troop of Iowa; organized August 22, 1917. Senator C. Miller. (January 30, 1985).

Bob Houser, Chair; and Gregory M. Brown, Mary E. Chalupski, Thomas A. Loudon, Roger J. Shaff, Connie Wimer, Stephen W. Roberts, Jack Larson, Joe Lundsgaard, Paul Stanfield and Marvin R. Selden, Members—For service on the Tax Study Committee. Senator Rodgers. (January 14, 1985).

Dr. Stanley Haughland, Robert Kromminga, David Sallen and J. Patrick White—For service as members of the Drunk Driving Study Committee. Senator Doyle. (January 14, 1985).

Mary Ellen Chamberlin, Chair; and J.G. "Gus" Johnson, Peg Anderson, Jerry Parkin, Marv Walters, William Rabedeaux, Willard Hansen, Tim Dickson, Pat Marshall, Sally Jo Krisel and Emmanuel Bikakis, Members—For service on the Political Campaign Study Committee. Senator Bruner. (January 14, 1985).

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate Joint Resoluton 2, by Taylor, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of congress until an intervening election of representatives has occurred.

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

Senate File 184, by Kinley, Gentleman, Readinger, Palmer and Mann, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter.

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

Senate File 185, by Kinley, Carr, Hutchins, Lind, Dieleman, Miller of Des Moines, Welsh, Brown, Palmer, Coleman, Tieden, Wells, Taylor, Soorholtz, Schwengels, Nystrom, Jensen, Murphy and Waldstein, a bill for an act allowing a deduction in computing state individual income taxes of the amount paid for tuition, textbooks, and transportation of dependents attending elementary or secondary schools situated within the state.

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

Senate File 186, by Vande Hoef, a bill for an act to prohibit the shooting of a shotgun with rifled slugs over public highways of the state.

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

Senate File 187, by Rodgers, a bill for an act relating to the filing of claims for the homestead credit.

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

Senate File 188, by Priebe, a bill for an act requiring certain pedestrians when jogging or running on or across a roadway to wear a reflective device or reflective clothing during certain time periods and providing a penalty.

Read first time and passed on file.

Senate File 189, by Committee on State Government, a bill for an act relating to the reporting of campaign contributions to legislators and making it effective upon publication.

Read first time and placed on calendar.

Senate File 190, by Hultman, a bill for an act relating to the entering and departing from a school bus.

Read first time and passed on file.

Senate File 191, by Priebe, a bill for an act establishing a central registry of brain-injured persons within the department of human services.

Read first time and passed on file.

Senate File 192, by Ritsema, a bill for an act relating to the qualifications of a county sheriff.

Read first time and passed on file.

Senate File 193, by Ritsema, a bill for an act relating to the requirements necessary for obtaining a coaching authorization.

Read first time and passed on file.

Senate File 194, by Vande Hoef, a bill for an act relating to reports of a mobile home park licensee to the county treasurer.

Read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 11, by Committee on Transportation, a resolution relating to public transportation.

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 42 present, 8 absent and a quorum present.

UNFINISHED BUSINESS (Deferred on January 30, 1985)

Senate File 19

The Senate resumed consideration of Senate File 19, a bill for an act to prohibit the recording of speeding tickets for violations ten miles per hour or less over the posted limit, subject to a penalty provided by law, and amendment S—3034 by Senators Hutchins and Coleman, deferred on January 30, 1985.

Senator Hutchins offered amendment S—3057 filed by him on January 29, 1985, to strike everything after the enacting clause and to the title page of the bill.

Senator Drake offered amendment S—3099 filed by him on February 1, 1985, to amendment S—3057 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3099 to amendment S—3057 be adopted?" (S.F. 19) the vote was:

Ayes, 25:

Bruner	Corning	Deluhery	Dieleman
Drake	Gentleman	Goodwin	Gratias
Hannon	Hester	Holt	Hultman
Jensen	Kinley	Nystrom	Palmer
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Tieden	Vande Hoef
Waldstein			

Nays, 25:

Boswell	Brown	Carr	Coleman
Colton	Doyle	Gettings	Gronstal
Hall	Holden	Horn	Husak
Hutchins	Junkins	Lind	Mann

Miller, A.V.
Priebe
Welsh

Miller, C.P.
Rodgers

Murphy
Taylor

Neighbour
Wells

The Chair vote "aye" to break the tie and amendment S—3099 was adopted.

Senator Hutchins moved the adoption of amendment S—3057 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3057 as amended, the Chair ruled the following amendments out of order:

S—3017 filed by Senator Hutchins on January 17, 1985, to page 1 of the bill.

S—3030 filed by Senator Drake on January 24, 1985, to page 1 of the bill.

S—3033 filed by Senator Ritsema on January 28, 1985, to page 1 of the bill.

S—3034 by Senators Hutchins and Coleman to page 1 and to the title page of the bill, deferred on January 28, 1985.

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. 19) the vote was:

Ayes, 30:

Boswell	Brown	Carr	Coleman
Colton	Doyle	Drake	Gratias
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, C.P.	Neighbour	Ritsema
Schwengels	Small	Soorholtz	Taylor
Waldstein	Welsh		

Nays, 20:

Bruner	Corning	Deluhery	Dieleman
Gentleman	Gettings	Goodwin	Hannon
Jensen	Miller, A.V.	Murphy	Nystrom

Palmer
Rodgers

Priebe
Tieden

Readinger
Vande Hoef

Rife
Wells

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

INTRODUCTION OF BILL

Senate File 195, by Deluhery, a bill for an act relating to the location of depositories of public funds.

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

APPENDIX**SENATE STUDY BILLS****SSB 136 Local Government**

Relating to veterans preference in public employment and providing an effective date.

SSB 137 Local Government

Authorizing a city to impose additional conditions on property owners as a condition to zoning changes.

SSB 138 Local Government

Authorizing the issuance of general obligation bonds by a majority vote of the electorate voting on the question.

SSB 139 Energy and Environment

Relating to membership on the interagency coordinating council on radiation safety.

SSB 140 Energy and Environment

Restricting the provision of certain services by public utilities.

SSB 141 Education

Relating to the setting of reciprocal tuition agreements by the state board of regents for certain nonresident students.

SSB 142 Natural Resources

Relating to the fitness of certain applicants for employment by the conservation commission and employment of assessors by county or city conference boards.

SSB 143 Agriculture

To eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to further investigate the appointment of Judith Kaye Rinehart as a member of the Board of Social Work Examiners, completed its investigation on February 5, 1985, and recommended the appointment be confirmed.

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to further investigate the appointment of Carol A. Worlan as a member of the State Foster Care Review Board, completed its investigation on February 5, 1985, and recommended the appointment be confirmed.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: February 5, 1985, 3:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Hall, Horn, Small and Taylor.

Members Absent: none.

Final Bill Action: SENATE FILE 70, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Carr, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 2: Ritsema and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; presentation by the Corrections Association.

Adjourned: 4:20 p.m.

LOCAL GOVERNMENT

Convened: February 5, 1985, 3:33 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 103, a bill for an act authorizing the board of supervisors to sell, lease, or convert a county public hospital to a private hospital with voter approval.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3119.

Final Vote: Ayes, 9: A. Miller, C. Miller, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Waldstein (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 3:57 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. R.	4	Rules and Administration
S. F.	156	Education
S. F.	157	Commerce
S. F.	158	Transportation
S. F.	159	Transportation
S. F.	160	Judiciary
S. F.	161	Human Resources
S. F.	162	Agriculture
S. F.	164	Education
S. F.	165	Transportation
S. F.	166	Natural Resources
S. F.	167	Local Government
S. F.	168	Labor
S. F.	169	Ways and Means
S. F.	170	State Government
S. F.	171	Labor
S. F.	172	Commerce
S. F.	173	Judiciary
S. F.	174	Transportation
S. F.	175	Appropriations
S. F.	176	Ways and Means

S. F.	177	State Government
S. F.	178	Ways and Means
S. F.	179	Local Government
S. F.	180	Labor
S. F.	181	Labor
S. F.	182	Labor
S. F.	183	Transportation

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Jeffrey Jones, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S—3116	S. F.	24	Richard Vande Hoef Jack W. Hester Jack Nystrom
S—3117	S. F.	24	Richard Vande Hoef
S—3118	S. F.	44	Edgar H. Holden
S—3119	S. F.	103	Local Government
S—3120	S. F.	121	Judiciary

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., February 6, 1985.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 6, 1985

The Senate met in regular session at 9:14 a.m., President Anderson presiding.

Prayer was offered by the Reverend Dick Krambeck, pastor of the St. John's Methodist Church, Mapleton, Iowa.

The Journal of Tuesday, February 5, 1985, 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 4, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 38, a bill for an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property.

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

House File 100, a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 9:39 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: February 5, 1985, 9:30 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Presentation by Warren B. Dunham, Director of the Department of Transportation.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 5, 1985, 9:35 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Commission on Aging gave overview and budget requests for the department.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 5, 1985, 9:45 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Pat Cavanaugh, Department of Human Services, spoke on proposed federal budget cuts that will impact on human services appropriations; Sandra Scott, Department of Human Services, spoke on juvenile justice county base, local purchase services and state juvenile institutions.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 5, 1985, 9:45 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Anthony Trivisono, Executive Director, Am. Correctional Association, Washington, D.C., spoke briefly; presentations from: Appellate Defender Charles Harrington; Gene Shepard, Commissioner, Department of Public Safety; Highway Patrol, Capitol Security, Fire Marshal and Administrative Services.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: February 5, 1985, 9:35 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member; Jensen and Rodgers.

Members Absent: none.

Committee Business: Budget presentations by the Secretary of State; additional information from the Beer and Liquor Control Department.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 5, 1985, 9:30 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair and Corning.

Members Absent: Schwengels, Ranking Member and Mann (excused).

Committee Business: Tour of Camp Dodge and its facilities, a slide show of the other National Guard facilities, and a presentation of the budget requests for the Department of Public Defense.

Adjourned: 12:00 noon.

COMMERCE

Convened: February 5, 1985, 8:05 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member (arrived 8:12 a.m.); Gronstal, Jensen (arrived 8:10 a.m.), Nystrom, Priebe and Tieden.

Members Absent: Palmer and Hutchins.

Committee Business: Assigned bills to subcommittees; presentation by Tom Huston, Superintendent of Banking.

Adjourned: 8:22 a.m.

EDUCATION

Convened: February 5, 1985, 1:35 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Final Bill Action: SENATE CONCURRENT RESOLUTION 12 (SSB 11), a resolution relating to creating a research, dissemination and development process for meeting certain educational needs.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:32 p.m.

NATURAL RESOURCES

Convened: February 6, 1985, 8:03 a.m.

Members Present: Hall, Chair; Doyle, Goodwin, Gratias, Hannon, Husak (arrived 8:09 a.m.), Neighbour, Rodgers and Tieden.

Members Absent: Priebe, Vice Chair and Schwengels, Ranking Member.

Final Bill Action: SENATE FILE 55, a bill for an act relating to the fur harvester license, hunting license and fishing license and providing an effective date by publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3122.

Final Vote: Ayes, 9: Hall, Doyle, Goodwin, Gratias, Hannon, Husak, Neighbour, Rodgers and Tieden. Nays, none. Absent or not voting, 3: Priebe, Hester and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Adjourned: 8:35 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 5, 1985, 2:40 p.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Informational meeting; Don Getter, Acting President, Iowa Product Development Corporation, appeared before the committee.

Adjourned: 3:30 p.m.

FURTHER REPORT OF COMMITTEE MEETING (On Calendar February 5, 1985)

STATE GOVERNMENT*

*A previous report of this meeting was recorded on page 275 of the Senate Journal.

Final Bill Action: SENATE FILE 189 (SSB 80), a bill for an act relating to the reporting of campaign contributions to legislators and making it effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS

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

COMMISSION ON THE STATUS OF WOMEN

On February 1, 1985, a copy of the annual report of the Commission on the Status of Women.

PLANNING AND PROGRAMMING

A copy of the annual report of the Iowa Youth Corps and the Iowa Community Cultural Grant submitted by the Iowa Jobs Commission.

DEPARTMENT OF TRANSPORTATION

A copy of the annual report of the Highway Research and Development in Iowa prepared by the Department of Transportation pursuant to Sec. 810.36, Code of Iowa.

SENATE STUDY BILLS

SSB 144 Local Government

Relating to benefits paid to victims of heart and lung disease contracted by members of local police or fire retirement systems.

SSB 145 Education

Relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty.

SSB 146 Natural Resources

Relating to the sale of unused highway right-of-way by the department of transportation to county conservation boards.

SSB 147 Labor and Industrial Relations

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.

SSB 148 Education

To establish advisory committees for the board of education examiners and to prescribe their duties.

SSB 149 State Government

Relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

SSB 150 Transportation

Prohibiting the use of a primary or interstate highway by the driver of a vehicle when the highway is closed to traffic; specifying exceptions; imposing a maximum speed limit on closed highways; and providing a penalty for violations.

SSB 151 Education

Relating to the execution of leases and lease purchases by area education agencies.

SSB 152 Natural Resources

Providing implied consent chemical testing for persons operating vessels on the waters of the state while intoxicated or operating snowmobiles while intoxicated and providing a penalty.

REPORTS OF STANDING COMMITTEE

(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on State Government assigned to further investigate the appointment of Lloyd E. Clarke as a member of the Iowa Housing Finance Authority, completed its investigation on February 6, 1985, and recommends the appointment be confirmed.

Pursuant to Senate Rule 59, the Committee on State Government assigned to investigate the appointment of Roosevelt Taylor as a member of the Iowa Housing Finance Authority, completed its investigation on February 6, 1985, and recommends the appointment be confirmed.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 12, by Committee on Education, a resolution relating to creating a research, dissemination, and development process for meeting certain educational needs.

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

INTRODUCTION OF BILLS

Senate File 196, by Gratias, a bill for an act relating to the purposes for which the tax levied under section 297.5 may be used.

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

Senate File 197, by Horn, a bill for an act to establish county school districts with component high school districts and to prescribe their governance.

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

Senate File 198, by Holden, a bill for an act relating to credit for service under the Iowa public employees' retirement system for certain members who withdrew contributions.

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

Senate File 199, by Miller of Des Moines, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office.

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 40 present, 10 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Neighbour for the afternoon on request of Senator Hutchins; Senators Gratas and Schwengels for the afternoon on request of Senator Hultman.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 113.

Senate File 113

On motion of Senator Carr, Senate File 113, a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long term care and home health care, was taken up for consideration.

Senator Carr offered amendment S—3123 filed by Senators Carr, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—3123 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?" (S.F. 113) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy

Nystrom
Rife
Soorholtz
Wells

Palmer
Ritsema
Taylor
Welsh

Priebe
Rodgers
Vande Hoef

Readinger
Small
Waldstein

Nays, none.

Absent or not voting, 4:

Gratias

Neighbour

Schwengels

Tieden

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

WITHDRAWN

Senator Holden asked and received unanimous consent that **Senate Files 40 and 41** be withdrawn from further consideration of the Senate

The Senate stood at ease until the fall of the gavel for a party caucus.

The Senate resumed session, President Anderson presiding.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 24

On motion of Senator Dieleman, Senate File 24, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—3043 filed by the committee on Ways and Means on January 28, 1985, to page 3 of the bill.

Senator Bruner offered amendment S—3111 filed by Senators Bruner and Rife on February 4, 1985, to amendment S—3043.

(Senate File 24, amendment S—3043 and amendment S—3111 to amendment S—3043 pending on adjournment).

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	184	Local Government
S. F.	185	Ways and Means
S. F.	186	Natural Resources
S. F.	187	Ways and Means
S. F.	188	Transportation
S. F.	190	Education
S. F.	191	Human Resources
S. F.	192	Local Government
S. F.	193	Education
S. F.	194	Local Government
S. F.	195	Commerce
S. J. R.	2	State Government

AMENDMENTS FILED

S—3121	S. F.	189	Charles Bruner Richard F. Drake
S—3122	S. F.	55	Natural Resources
S—3123	S. F.	113	Robert M. Carr Edgar H. Holden Berl E. Priebe
S—3124	S. F.	44	Edgar H. Holden

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Thursday, February 7, 1985.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 7, 1985

The Senate met in regular session at 9:14 a.m., President Anderson presiding.

Prayer was offered by the Reverend Charles Klink, pastor of the St. Mark's United Methodist Church, Camanche, Iowa.

The Journal of Wednesday, February 6, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gratias for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by Small, 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.

Read first time and passed on file.

Senate File 200, by Mann, a bill for an act relating to the office of the appellate defender.

Read first time and passed on file.

Senate File 201, by Deluhery, a bill for an act relating to the priority of public funds deposited in state-chartered banks, savings and loan associations, savings banks, and credit unions.

Read first time and passed on file.

Senate File 202, by Welsh, a bill for an act relating to the payment of certain taxes by delinquent taxpayers and limiting the applicability of the provisions.

Read first time and passed on file.

Senate File 203, by Drake, a bill for an act relating to civil actions for punitive damages by restricting the discovery and disclosure of financial documents.

Read first time and passed on file.

Senate File 204, by Taylor and Hultman, a bill for an act relating to the increase in the personal property tax credit.

Read first time and passed on file.

Senate File 205, by Holden, Holt, Vande Hoef and Taylor, a bill for an act relating to discount gas and electric utility rates, charges, schedules and regulations which are calculated to attract new business or expand existing production and employment.

Read first time and passed on file.

Senate File 206, by Holden, a bill for an act relating to the official language of the state of Iowa.

Read first time and passed on file.

Senate File 207, by Wells, Brown, Gratias, Taylor, Dieleman, Vande Hoef, Jensen, Waldstein, Bruner, Hester, Holt and Colton, a bill for an act relating to smoking in public places and public meetings and applying penalties.

Read first time and passed on file.

Senate File 208, by Jensen, Waldstein, Readinger, Rife, Ritsema, Schwengels, Lind, Holt, Vande Hoef, Taylor and Hultman, a bill for an act allowing the assets of insurance companies, state banks, state savings banks, and state savings and loan associations to be invested in venture capital firms making investments in small businesses in the state.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

The Chair announced that **Senate File 138** was referred from the Committee on State Government to the Committee on Commerce.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:20 a.m., until 3:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

Convened: February 6, 1985, 10:10 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein (arrived 11:00 a.m.).

Members Absent: none.

Committee Business: Further presentations by the Department of Public Safety—Division of Criminal Investigation and Communications Division, and Dr. Tom Bennett, Medical Examiner.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 6, 1985, 10:28 a.m.

Members Present: Dieleman, Chair; Corning and Mann.

Members Absent: Schwengels, Ranking Member and Wells, Vice Chair (excused).

Committee Business: Budget presentation by William Krahl, Comptroller's Office.

Adjourned: 11:13 a.m.

AGRICULTURE

Convened: February 6, 1985, 3:32 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by Thatcher Johnson, Iowa Department of Agriculture.

Adjourned: 3:49 p.m.

COMMERCE

Convened: February 6, 1985, 1:35 p.m.

Members Present: Kinley, Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Nystrom (arrived 1:39 p.m.), Palmer (arrived 1:36 p.m.), Priebe and Tieden.

Members Absent: Deluhery, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; Paul Dunlap, Hawkeye Bancorporation; Oliver A. Hansen, President of the Liberty Trust and Savings Bank, Durant, Iowa; John Crystal, Bankers Trust Company; and Tom Huston, Superintendent of Banking, appeared before the committee.

Adjourned: 2:41 p.m.

EDUCATION

Convened: February 5, 1985, 1:35 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 211 (SSB 6), a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 2:32 p.m.

ENERGY AND ENVIRONMENT

Convened: February 6, 1985, 8:50 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Brown, A. Miller, Gronstal, Rife and Hultman.

Members Absent: Soorholtz (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:55 a.m.

HUMAN RESOURCES

Convened: February 6, 1985, 1:33 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, C. Miller, Readinger, Vande Hoef and Taylor.

Members Absent: Gratias (excused).

Committee Business: Assigned bills to subcommittees; SSB 68 ordered redrafted as amended for final approval as a committee bill.

Adjourned: 2:35 p.m.

STATE GOVERNMENT

Convened: February 6, 1985, 2:45 p.m.

Members Present: Carr, Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, C. Miller, Rife and Welsh.

Members Absent: Dieleman, Vice Chair; Mann and Schwengels (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:55 p.m.

FURTHER REPORT OF COMMITTEE MEETING**JUDICIARY***

*A previous report of this meeting was recorded on page 284 of the Senate Journal.

Final Bill Action: SENATE FILE 213 (SSB 73), a bill for an act relating to the imposition of mandatory minimum sentences.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Anderson announced the following appointments to statutory committees:

LEGISLATIVE FISCAL COMMITTEE
(Section 2.45, Iowa Code)

Senator Joe Welsh, Chair of Senate Appropriations Committee
Senator Dale Tieden, Minority Ranking Member of Senate Appropriations
Committee
Senator William Palmer, Chair of Ways and Means Committee
Senator Edgar Holden, Minority Member of Ways and Means Committee
Senator Don Doyle, Majority Member of Legislative Council

SUBCOMMITTEE ASSIGNMENTS

Senate File 45

WAYS AND MEANS: Rodgers, Chair, Palmer and Gratias

Senate File 50

WAYS AND MEANS: Gronstal, Chair; Brown and Hester

Senate File 53

WAYS AND MEANS: Dieleman, Chair; Brown and Soorholtz

Senate File 60

WAYS AND MEANS: Bruner, Chair; Mann and Holden

Senate File 61

WAYS AND MEANS: Holden, Chair; Bruner and Rodgers

Senate File 65

JUDICIARY: Horn, Chair; Doyle and Holt

Senate File 74

WAYS AND MEANS: Rodgers, Chair; Husak and Readinger

Senate File 80

WAYS AND MEANS: Gronstal, Chair; Readinger and Brown

Senate File 87**WAYS AND MEANS: Bruner, Chair; Rodgers and Holden****Senate File 94****WAYS AND MEANS: Rodgers, Chair; Husak and Gratias****Senate File 95****WAYS AND MEANS: Soorholtz, Chair; Rodgers and Mann****Senate File 99****STATE GOVERNMENT: Welsh, Chair; Carr and Rife****Senate File 100****STATE GOVERNMENT: Bruner, Chair; Drake and Mann****Senate File 104****WAYS AND MEANS: Boswell, Chair; Dieleman and Soorholtz****Senate File 105****STATE GOVERNMENT: C. Miller, Chair; Carr, Dieleman, Corning and Rife****Senate File 106****WAYS AND MEANS: Boswell, Chair; Husak and Hester****Senate File 107****COMMERCE: Kinley, Chair; Palmer and Holden****Senate File 108****HUMAN RESOURCES: Coleman, Chair; Murphy and Taylor**

Senate File 109

HUMAN RESOURCES: Coleman, Chair; Murphy and Taylor

Senate File 110

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

Senate File 111

STATE GOVERNMENT: Carr, Chair; Horn and Rife

Senate File 114

STATE GOVERNMENT: Nystrom, Chair; Dieleman and Schwengels

Senate File 115

WAYS AND MEANS: Palmer, Chair; Holden and Holt

Senate File 116

ENERGY AND ENVIRONMENT: Colton, Chair; Bruner, Corning, Hultman and A. Miller

Senate File 118

WAYS AND MEANS: Rodgers, Chair; Gronstal and Holt

Senate File 122

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and Neighbour

Senate File 123

STATE GOVERNMENT: Coleman, Chair; Gentleman and Mann

Senate File 124

COMMERCE: Deluhery, Chair; Priebe and Tieden

Senate File 131

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels

Senate File 132

EDUCATION: Brown, Chair; Murphy and Gratias

Senate File 133

AGRICULTURE: A. Miller, Chair; Waldstein and Hester

Senate File 137

STATE GOVERNMENT: Schwengels, Chair; Coleman and Gentleman

Senate File 139

STATE GOVERNMENT: Dieleman, Chair; Carr, Corning, C. Miller and Rife

Senate File 140

STATE GOVERNMENT: Welsh, Chair; Dieleman and Nystrom

Senate File 141

LOCAL GOVERNMENT: C. Miller, Chair; Neighbour and Lind

Senate File 143

JUDICIARY: Horn, Chair; Carr and Holt

Senate File 145

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

Senate File 146

HUMAN RESOURCES: Hannon, Chair; Coleman and Vande Hoef

Senate File 147

JUDICIARY: Horn, Chair; Carr and Holt

Senate File 148

NATURAL RESOURCES: Goodwin, Chair; Husak and Hannon

Senate File 152

EDUCATION: Horn, Chair; Colton and Corning

Senate File 156

EDUCATION: Colton, Chair; Horn and Lind

Senate File 157

COMMERCE: Holden, Chair; Priebe and Deluhery

Senate File 160

JUDICIARY: Coleman, Chair; Drake and Horn

Senate File 162

AGRICULTURE: Waldstein, Chair; Husak and Hutchins

Senate File 164

EDUCATION: Horn, Chair; Gratijs and Wells

Senate File 168

LABOR AND INDUSTRIAL RELATIONS: Deluhery, Chair; Wells and Rife

Senate File 170

STATE GOVERNMENT: C. Miller, Chair; Carr, Coleman, Corning and Rife

Senate File 171

LABOR AND INDUSTRIAL RELATIONS: Wells, Chair; Deluhery and Holden

Senate File 172**COMMERCE: Palmer, Chair; Deluhery and Tieden****Senate File 173****JUDICIARY: Ritsema, Chair; Doyle and Horn****Senate File 177****STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels****Senate File 180****LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Welsh and Holden****Senate File 181****LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Welsh and Holden****Senate File 182****LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Welsh and Holden****House Concurrent Resolution 5****AGRICULTURE: Waldstein, Chair; Palmer and Vande Hoef****House Concurrent Resolution 6****AGRICULTURE: Hester, Chair; Soorholtz and Hutchins****SSB 54****NATURAL RESOURCES: Neighbour, Chair; Hester and Rodgers****SSB 67****HUMAN RESOURCES: Bruner, Chair; Murphy and Gentleman****SSB 68****HUMAN RESOURCES: Bruner, Chair; Murphy and Gentleman**

SSB 69

EDUCATION: Colton, Chair; Wells and Corning

SSB 70

EDUCATION: Colton, Chair; Wells and Corning

SSB 81

HUMAN RESOURCES: C. Miller, Chair; Murphy and Gentleman

SSB 82

HUMAN RESOURCES: Coleman, Chair; Hannon and Gratias

SSB 83

HUMAN RESOURCES: Bruner, Chair; Coleman and Readinger

SSB 84

HUMAN RESOURCES: Bruner, Chair; Coleman and Vande Hoef

SSB 86

HUMAN RESOURCES: Gentleman, Chair; Coleman and C. Miller

SSB 88

HUMAN RESOURCES: Hannon, Chair; Murphy and Readinger

SSB 89

HUMAN RESOURCES: Carr, Chair; Murphy and Vande Hoef

SSB 96

TRANSPORTATION: Nystrom, Chair; Jensen and Gettings

SSB 97

WAYS AND MEANS: Palmer, Chair; Holden and Rodgers

SSB 98

WAYS AND MEANS: Husak, Chair; Brown and Hester

SSB 99

WAYS AND MEANS: Palmer, Chair; Dieleman, Grattias, Rodgers and Soorholtz

SSB 100

EDUCATION: Colton, Chair; Corning and Brown

SSB 101

EDUCATION: Brown, Chair; Grattias and Murphy

SSB 102

EDUCATION: Brown, Chair; Grattias and Murphy

SSB 103

EDUCATION: Colton, Chair; Murphy and Corning

SSB 104

LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Welsh and Hultman

SSB 105

LABOR AND INDUSTRIAL RELATIONS: Colton, Chair; Gettings and Jensen

SSB 106

EDUCATION: Horn, Chair; Corning and Colton

SSB 107

HUMAN RESOURCES: Bruner, Chair; Grattias and Hannon

SSB 108

HUMAN RESOURCES: Carr, Chair; Coleman and Gratiias

SSB 109

HUMAN RESOURCES: Gratiias, Chair; Readinger and C. Miller

SSB 110

EDUCATION: Taylor, Chair; Hannon and Corning

SSB 111

JUDICIARY: Doyle, Chair; Mann and Ritsema

SSB 112

JUDICIARY: Mann, Chair; Ritsema, Small, Doyle and Holt

SSB 113

JUDICIARY: Mann, Chair; Doyle and Ritsema

SSB 114

JUDICIARY: Carr, Chair; Mann and Hester

SSB 115

JUDICIARY: Gentleman, Chair; Mann and Deluhery

SSB 116

JUDICIARY: Carr, Chair; Doyle and Gentleman

SSB 117

JUDICIARY: Gentleman, Chair; Horn and Small

SSB 118

JUDICIARY: Horn, Chair; Coleman and Hester

SSB 119

JUDICIARY: Horn, Chair; Carr and Holt

SSB 120

JUDICIARY: Horn, Chair; Gentleman and Coleman

SSB 121

JUDICIARY: Mann, Chair; Small and Ritsema

SSB 122

JUDICIARY: Small, Chair; Ritsema and Deluhery

SSB 123

JUDICIARY: Mann, Chair; Small and Ritsema

SSB 124

JUDICIARY: Gentleman, Chair; Small and Drake

SSB 125

JUDICIARY: Mann, Chair; Small and Ritsema

SSB 126

JUDICIARY: Gentleman, Chair; Dieleman and Coleman

SSB 127

JUDICIARY: Small, Chair; Coleman and Hester

SSB 128

JUDICIARY: Small, Chair; Horn and Holt

SSB 129

JUDICIARY: Mann, Chair; Carr and Gentleman

SSB 130

JUDICIARY: Doyle, Chair; Mann and Ritsema

SSB 131

TRANSPORTATION: Doyle, Chair; Nystrom and Gettings

SSB 132

APPROPRIATIONS: Murphy, Chair; Gronstal and Readinger

SSB 133

STATE GOVERNMENT: Bruner, Chair; Gentleman and Carr

SSB 134

LABOR AND INDUSTRIAL RELATIONS: Colton, Chair; Gettings and Rife

SSB 135

EDUCATION: Horn, Chair; Wells and Taylor

SSB 136

LOCAL GOVERNMENT: Wells, Chair; A. Miller and Lind

SSB 137

LOCAL GOVERNMENT: Hall, Chair; Neighbour and Lind

SSB 138

LOCAL GOVERNMENT: Wells, Chair; Hall and Lind

SSB 139

ENERGY AND ENVIRONMENT: Colton, Chair; Carr and Soorholtz

SSB 140

ENERGY AND ENVIRONMENT: Gronstal, Chair; Brown, Carr, Soorholtz and Rife

SSB 141

EDUCATION: Colton, Chair; Brown and Corning

SSB 142

NATURAL RESOURCES: Priebe, Chair; Schwengels and Neighbour

SSB 145

EDUCATION: Colton, Chair; Horn and Corning

SSB 147

LABOR AND INDUSTRIAL RELATIONS: Mann, Chair; Colton and Jensen

SSB 148

EDUCATION: Brown, Chair; Murphy and Gratias

SSB 149

STATE GOVERNMENT: Nystrom, Chair; Carr and C. Miller

SSB 151

EDUCATION: Colton, Chair; Brown and Gratias

SSB 153

JUDICIARY: Carr, Chair; Doyle and Ritsema

SSB 154

JUDICIARY: Small, Chair; Doyle and Holt

SSB 155

JUDICIARY: Mann, Chair; Doyle and Ritsema

SSB 156

JUDICIARY: Small, Chair; Hester and Mann

SSB 157

JUDICIARY: Doyle, Chair; Taylor and Dieleman

SSB 158

JUDICIARY: Ritsema, Chair; Mann and Small

LSB 1951 S

AGRICULTURE: Vande Hoef, Chair; Waldstein and A. Miller

AFTERNOON SESSION

The Senate reconvened at 3:32 p.m., President Anderson presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 13, by Horn and Nystrom, a resolution emphasizing the importance of the arts to a complete education.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 209, by Ritsema, a bill for an act relating to the appointment of attorneys by the court.

Read first time and passed on file.

Senate File 210, by Ritsema, a bill for an act to repeal the sunset clause in 1981 Iowa Acts chapter 23 creating the office of state appellate defender.

Read first time and passed on file.

Senate File 211, by Committee on Education, a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984.

Read first time and placed on calendar.

Senate File 212, by Holden, a bill for an act to permit nonresidents to file quarterly declarations of estimates and quarterly payments of individual income tax and providing an effective date.

Read first time and passed on file.

Senate File 213, by Committee on Judiciary, a bill for an act relating to the imposition of mandatory minimum sentences.

Read first time and placed on calendar.

Senate File 214, by Coleman, Neighbour, Dieleman, Doyle, Husak, Carr, Rodgers and Miller of Des Moines, a bill for an act relating to membership in farm organizations.

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

Senate File 215, by Committee on Education, a bill for an act requiring a free and appropriate public education for children requiring special education.

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

Senate File 216, by Lind, a bill for an act prohibiting discrimination on the basis of family name or consanguinity by the state board of regents.

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

Senate File 217, by Soorholtz, a bill for an act increasing the penalty for impersonating a public official.

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 43 present, 7 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for the remainder of the day on request of Senator Hutchins.

COMMUNICATION

The following communication was presented from the Iowa Beer and Liquor Control Department:

February 7, 1985

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

Dear Ms. Thayer:

Pursuant to Iowa Code Section 123.10 (1983), the Iowa Beer and Liquor Control Council submits its selection for director of the Iowa Beer and Liquor Control Department, Patrick Cavanaugh, for Senate confirmation.

A copy of Mr. Cavanaugh's resume is enclosed.

Sincerely,
CHARESE YANNEY
Chairperson

Communication was read and referred to the committee on **Rules and Administration**.

MOTION TO RECONSIDER LOST

Senate Resolution 3

Senator Wells called up the motion to reconsider Senate Resolution 3, a resolution to amend the permanent rules of the senate for the seventy-first general assembly, filed by him on January 30, 1985, found on page 200 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.R. 3) the vote was:

Ayes, 25:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Gettings
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Hutchins	Jensen
Junkins	Mann	Miller, C.P.	Murphy

Taylor
Welsh

Vande Hoef

Waldstein

Wells

Nays, 24:

Coleman
Goodwin
Husak
Neighbour
Readinger
Schwengels

Doyle
Holt
Kinley
Nystrom
Rife
Small

Drake
Horn
Lind
Palmer
Ritsema
Soorholtz

Gentleman
Hultman
Miller, A.V.
Priebe
Rodgers
Tieden

Absent or not voting, 1:

Boswell

The motion lost.

The following amendments to Senate Resolution 3 were out of order:

S—3109 filed by Senators Wells, et al., on February 4, 1985, to page 12 of the resolution.

S—3110 filed by Senator Gettings on February 4, 1985, to amendment S—3109.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 121, 90, 128, 129, 130 and 149.

Senate File 121

On motion of Senator Doyle, Senate File 121, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—3120 filed by the committee on Judiciary on February 6, 1985, to page 17 of the bill and moved its adoption.

Amendment S—3120 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. 121) the vote was:

Ayes, 49:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A. V.	Miller, C. P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

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

Senate File 90

On motion of Senator Lind, Senate File 90, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations, with report of committee recommending passage, was taken up for consideration.

Senator Lind moved that the bill be read the last time now and placed upon 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. 90) the vote was:

Ayes, 49:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

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

Senate File 128

On motion of Senator Hannon, Senate File 128, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon 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. 128) the vote was:

Ayes, 49:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind

Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

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

Senate File 129

On motion of Senator Colton, Senate File 129, a bill for an act requiring an area education agency to provide certain services to school age children in inpatient substance abuse programs, was taken up for consideration.

Senator Colton withdrew amendment S—3108 filed by him on February 4, 1985, to page 1 and to the title page of the bill.

Senator Colton withdrew amendment S—3113 filed by him on February 4, 1985, to page 1 and to the title page of the bill.

Senator Colton offered amendment S—3114 filed by him on February 4, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3114 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vande Hoef for the remainder of the day on request of Senator Holt.

BUSINESS PENDING

The Senate resumed consideration of Senate File 129.

Senator Brown asked unanimous consent that further action on Senate File 129 be deferred.

Senator Junkins asked and received unanimous consent that **Senate File 129** be referred to the committee on **Appropriations**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 130

On motion of Senator Colton, Senate File 130, a bill for an act relating to the health and physical education requirements in grades one through twelve, 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. 130) the vote was:

Ayes, 34:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gettings	Gratias	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Rodgers
Schwengels	Soorholtz	Taylor	Waldstein
Wells	Welsh		

Nays, 13:

Coleman	Gentleman	Goodwin	Hester
Holden	Holt	Hultman	Jensen
Readinger	Rife	Ritsema	Small
Tieden			

Absent or not voting, 3:

Borwell	Lind	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 149

On motion of Senator Colton, Senate File 149, a bill for an act relating to the acceptance of the federal rehabilitation Acts, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on **Senate File 149** be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 150 and 154.

Senate File 150

On motion of Senator Corning, Senate File 150, a bill for an act relating to the appointment date for a secretary of a school board, was taken up for consideration.

Senator Corning moved that the bill be read the last time now and placed upon 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. 150) the vote was:

Ayes, 45:

Brown	Bruner	Carr	Colton
Corning	Deluhiery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Coleman	Hultman	Lind
Vande Hoef			

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

Senate File 154

On motion of Senator Miller of Des Moines, Senate File 154, a bill for an act relating to the duties of the secretary for the state board of engineering examiners, 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. 154) the vote was:

Ayes, 45:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritserna
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Hultman	Lind	Murphy
Vande Hoef			

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

Senate File 112

On motion of Senator Welsh, Senate File 112, 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 Dieleman offered amendment S—3070 filed by Senators Dieleman, et al., on January 30, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3070 was adopted by a voice vote.

Senator Dieleman offered amendment S—3115 filed by Senators Dieleman, et al., on February 4, 1985, to page 1 of the bill.

Senator Welsh raised the point of order that amendment S—3115 was not germane to the bill.

Senator Welsh withdrew his point of order.

Senator Dieleman moved the adoption of amendment S—3115.

A record roll call was requested.

On the question “Shall amendment S—3115 be adopted?” (S.F. 112) the vote was:

Ayes, 8:

Colton	Dieleman	Doyle	Gentleman
Goodwin	Rife	Schwengels	Wells

Nays, 38:

Brown	Bruner	Carr	Corning
Deluhery	Drake	Gettings	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Waldstein	Welsh		

Absent or not voting, 4:

Boswell	Coleman	Lind	Vande Hoef
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Amendment S—3115 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. 112) the vote was:

Ayes, 29:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Drake
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A. V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Rife	Ritsema	Rodgers	Soorholtz
Welsh			

Nays, 17:

Corning	Dieleman	Gentleman	Goodwin
Gratias	Hall	Holden	Holt
Hultman	Jensen	Readinger	Schwengels
Small	Taylor	Tieden	Waldstein
Wells			

Absent or not voting, 4:

Boswell	Lind	Nystrom	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.

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 7, 1985, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 163, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state (S—3129).

HOUSE AMENDMENT CONSIDERED

Senate File 163

Senator Hall called up for immediate consideration Senate File 163, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this

state, amended by the House, and moved that the Senate concur in House amendment S—3129 filed February 7, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hall 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, 35:

Brown	Bruner	Carr	Corning
Deluhery	Dieleman	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Waldstein	

Nays, 9:

Coleman	Colton	Doyle	Gratias
Holden	Hultman	Taylor	Tieden
Welsh			

Absent or not voting, 6:

Boswell	Lind	Nystrom	Rodgers
Vande Hoef	Wells		

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

BUSINESS PENDING

Senate File 149

The Senate resumed consideration of Senate File 149, previously deferred.

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. 149) the vote was:

Ayes, 44:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Lind	Nystrom	Rodgers
Vande Hoef	Wells		

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 218, by Taylor, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

Read first time and passed on file.

Senate File 219, by Committee on Education, a bill for an act relating to tuition rates established by the state board of regents for certain nonresident students.

Read first time and placed on calendar.

Senate File 220, by Committee on Education, a bill for an act to provide for the waiver of tuition for certain nonresident students under the sponsorship of a foreign student exchange program.

Read first time and placed on calendar.

APPENDIX

FURTHER REPORT OF COMMITTEE MEETING

EDUCATION*

*A previous report of this meeting was also recorded on page 303 of the February 7, 1985, Senate Journal.

Final Bill Action: SENATE FILE 215 (SSB 32), a bill for an act requiring a free and appropriate public education for children requiring special education.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 220 (SSB 34), a bill for an act to provide for the waiver of tuition for certain non-resident students under the sponsorship of a foreign student exchange program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 6, 1985, 10:30 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Iowa Maternal and Child Health Advisory Council gave overview and budget requests.

Adjourned: 11:20 a.m.

EDUCATION

Convened: February 6, 1985, 3:35 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: Gratias, Ranking Member (excused).

Final Bill Action: SENATE FILE 219 (SSB 141), a bill for an act relating to tuition rates established by the state board of regents for certain non-resident students.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Horn, Colton, Lind, Murphy, Taylor and Wells. Nays, 2: Corning and Hannon. Absent or not voting, 1: Gratias.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 4:33 p.m.

SENATE STUDY BILLS

SSB 153 Judiciary

Relating to gratuitous allowances paid to inmates for work performed by the inmates.

SSB 154 Judiciary

Relating to the protection of and information to be provided to victims of crime.

SSB 155 Judiciary

Relating to interception of communications by electronic, mechanical or other devices and providing a penalty.

SSB 156 Judiciary

Repealing the statutory requirement that assignments, sales, or transfers of real estate secured mortgages and notes be reported to the county auditor.

SSB 157 Judiciary

Relating to the penalties for the offenses of sexual abuse and lascivious acts with a child.

SSB 158 Judiciary

Relating to jurors, jury commissions and juror selection and providing penalties.

SSB 159 State Government

Relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

SSB 160 Judiciary

Relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization.

REPORT OF STANDING COMMITTEE

(Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to investigate the appointment of Alyce Ann Clasen as a member of the Board of Social Work Examiners, completed its investigation on February 7, 1985, and recommended the appointment be confirmed.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-five eighth grade students from Jesup Community School, Jesup, Iowa, accompanied by Dennis Ricklefs. Senator Murphy.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald Teadall, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-3125	S. F.	24	Berl E. Priebe Emil J. Husak Larry Murphy Dale L. Tieden John E. Soorholtz
S-3126	S. F.	24	Charles Bruner Michael E. Gronstal William W. Dieleman
S-3127	S. F.	170	Joe Brown
S-3128	S. F.	35	Arne Waldstein John E. Soorholtz
S-3129	S. F.	163	House Amendment

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:20 p.m., until 10:00 a.m., Monday, February 11, 1985.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 11, 1985

The Senate met in regular session at 10:01 a.m., President Anderson presiding.

Prayer was offered by the Reverend Peter Boe, pastor of the Skien Lutheran Church, Sloan, Iowa.

The Journal of Thursday, February 7, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holden for the day on request of Senator Schwengels.

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 31, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 87, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985.

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

ALSO: That the House has on February 8, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 78, a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education.

ALSO: That the House has on February 8, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 70, a bill for an act relating to the conducting of going-out-of-business sales and providing for penalties.

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

House File 183, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

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

ALSO: That the House has on February 8, 1985, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 25, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn. (S—3130).

INTRODUCTION OF BILLS

Senate File 221, by Holden, Vande Hoef, Schwengels, Holt and Lind, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, the recording of income tax refund or rebate payments by the clerk, and the use of workers' compensation payments to satisfy child support obligations.

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

Senate File 222, by Corning, Vande Hoef and Taylor, a bill for an act relating to the operation of family day care homes and providing penalties.

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

Senate File 223, by Jensen, Waldstein, Vande Hoef, Holden, Schwengels, Lind, Gratiias, Readinger, Taylor and Soorholtz, a bill for an act relating to the registration of motor vehicles including the credit and refund of unexpired registration fees and the assignment of registration plates.

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

Senate File 224, by Corning, Holden, Schwengels, Readinger, Holt and Taylor, a bill for an act relating to discrimination on the basis of gender and marital status.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Deluhery and Rodgers 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 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Files 44, 70, 103, 55 and 35.

Senate File 44

On motion of Senator Jensen, Senate File 44, a bill for an act requiring a warning device be equipped in 1986 or newer model cars subject to penalty, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that Senator Jensen introduce amendments S—3118 and S—3124 filed by Senator Holden.

Senator Jensen offered amendment S—3124 filed by Senator Holden on February 6, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3124 was adopted by a voice vote.

With the adoption of amendment S—3124, the Chair ruled amendment S—3118 filed by Senator Holden on February 5, 1985, to page 1 of the bill, out of order.

Senator Kinley took the chair at 10:40 a.m.

Senator Hutchins asked and received unanimous consent that further action on Senate File 44 be deferred.

Senate File 70

On motion of Senator Holt, Senate File 70, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Holt offered amendment S—3032 filed by Senator Holden on January 24, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3032 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. 70) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A. V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Deluhery	Drake	Holden	Hultman
Lind	Rife	Rodgers	

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

Senate File 35

On motion of Senator Priebe, Senate File 35, a bill for an act relating to animal waste water pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein offered amendment S—3128 filed by Senator Waldstein and Soorholtz on February 7, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3128 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. 35) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery
Rodgers

Drake

Holden

Lind

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

Senate File 55

On motion of Senator Tieden, Senate File 55, a bill for an act relating to the fur harvester, hunting and fishing licenses, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tieden offered amendment S—3122 filed by the committee on Natural Resources on February 6, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3122 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?" (S.F. 55) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery
Rodgers

Drake

Holden

Lind

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

Senate File 103

On motion of Senator Hultman, Senate File 103, a bill for an act authorizing the board of supervisors to sell, lease, or convert a county public hospital to a private hospital with voter approval, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—3119 filed by the committee on Local Government on February 5, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3119 was adopted by a voice vote.

Senator Hultman moved that the bill be read the last time now and placed upon 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. 103) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery
Rodgers

Drake

Holden

Lind

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

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolutions 12 and 11 and Senate Resolutions 5 and 6.

Senate Concurrent Resolution 12

On motion of Senator Hannon, Senate Concurrent Resolution 12, a resolution relating to creating a research, dissemination, and development process for meeting certain educational needs, was taken up for consideration.

Senator Hannon moved the adoption of Senate Concurrent Resolution 12, which motion prevailed by a voice vote and the resolution was adopted.

Senate Concurrent Resolution 11

On motion of Senator Coleman, Senate Concurrent Resolution 11, a resolution relating to public transportation, was taken up for consideration.

Senator Coleman moved the adoption of Senate Concurrent Resolution 11, which motion prevailed by a voice vote and the resolution was adopted.

Senate Resolution 5

On motion of Senator Gettings, Senate Resolution 5, a resolution to provide senate rules governing lobbyists for the seventy-first general assembly, was taken up for consideration.

Senator Gettings moved the adoption of Senate Resolution 5, which motion prevailed by a voice vote and the resolution was adopted.

Senate Resolution 6

On motion of Senator Gettings, Senate Resolution 6, a resolution to provide a senate code of ethics, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on **Senate Resolution 6** be deferred.

INTRODUCTION OF BILLS

Senate File 225, by Brown, a bill for an act relating to negotiations between school districts and certified teacher employee organizations.

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

Senate File 226, by Jensen, Taylor, Goodwin and Vande Hoef, a bill for an act related to the operation of a motor vehicle while under the influence of alcohol or a drug.

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

Senate File 227, by Jensen, a bill for an act relating to the registration of special trucks.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 14, by Colton, Horn, Boswell, Miller of Cerro Gordo, Priebe, Soorholtz, Wells, Schwengels, Readinger, Gronstal, Mann, Carr, Murphy, Rodgers, Dieleman, Neighbour, Rife, Ritsema, Vande Hoef, Hannon, Corning, Palmer, Tieden, Welsh, Doyle, Gettings, Taylor, Jensen, Brown, Drake and Holt, a concurrent resolution relating to American POW's and MIA's.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 11:29 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	13	Education
S. J. R.	3	State Government
S. F.	196	Education
S. F.	197	Education
S. F.	198	State Government
S. F.	199	State Government
S. F.	200	Judiciary
S. F.	201	Commerce
S. F.	202	Ways and Means
S. F.	203	Judiciary
S. F.	204	Ways and Means
S. F.	205	Commerce
S. F.	206	State Government
S. F.	207	State Government
S. F.	208	Commerce
S. F.	209	Judiciary
S. F.	210	Judiciary
S. F.	212	Ways and Means
S. F.	214	Agriculture
S. F.	216	Education
S. F.	217	Judiciary
S. F.	218	Judiciary
H. F.	38	Education
H. F.	100	Education

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 70 passed the Senate on February 11, 1985.

C. JOSEPH COLEMAN

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: February 7, 1985, 9:46 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Budget presentation by Michael L. Fitzgerald, Treasurer of State.

Adjourned: 10:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 7, 1985, 9:45 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Lind, Ranking Member and Small.

Members Absent: Nystrom (excused).

Committee Business: Budget hearing for the merged area schools.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 7, 1985, 9:45 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Overview of commissions and budget requests: civil rights commission, handicapped employment, status of women and veterans affairs.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 6, 1985, 10:15 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner (arrived 10:35 a.m.) and Gentleman.

Members Absent: none.

Committee Business: Charles Palmer, Harold Templeman and Bill Armstrong from the Department of Human Services, Division of Mental Health, Mental Retardation and Developmental Disabilities, spoke on budget recommendations for the state's four mental institutions and two state hospital schools.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 7, 1985, 9:55 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Committee Business: Sally Cunningham, Department of Human Services, spoke on the mental health services fund and the needs assessment document; Larry Jackson, Department of Human Services, spoke on community services, the child support recovery unit and volunteers.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 7, 1985, 9:50 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair (arrived 10:05 a.m.), Ritsema, Ranking Member and Waldstein.

Members Absent: Carr (excused).

Committee Business: Tom Miller, Attorney General, and Don Mason, Executive Director, Prosecuting Attorney's Training Council, presented budget requests.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 7, 1985, 9:50 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member and Corning.

Members Absent: Mann.

Committee Business: Budget presentations by Jack Crandall, Department of Disaster Services and Fran Van Winkle, Merit Employment Department; question and answer period with General Lawson regarding the budget for the Department of Public Defense.

Adjourned: 11:55 a.m.

JUDICIARY

Convened: February 7, 1985, 1:30 p.m.

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

Members Absent: none.

Final Bill Action: SENATE FILE 229 (SSB 61), a bill for an act relating to recovery of merchandise or damages and providing for civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Mann, Coleman, Dieleman, Hester, Holt, Horn and Taylor. Nays, 5: Ritsema, Carr, Deluhery, Gentleman and Hester. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 230 (SSB 111), a bill for an act relating to qualifications of sureties.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 231 (SSB 130), a bill for an act relating to the release of information concerning a missing child.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees; presentation by the Iowa Board of Parole.

Adjourned: 2:33 p.m.

LOCAL GOVERNMENT

Convened: February 7, 1985, 1:38 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: none.

Final Bill Action: SENATE FILE 228 (SSB 137), a bill for an act authorizing a city to impose additional conditions on property owners as a condition of zoning.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: Assigned bills to subcommittees.

Adjourned: 1:48 p.m.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 1, 1985.

Had I been present, I would have voted "aye" on final passage of Senate File 57.

I was also necessarily absent from the Senate chamber on Monday morning, February 11, 1985.

Had I been present, I would have voted "aye" on Senate Files 35, 55, 70 and 103.

PATRICK J. DELUHERY

PETITIONS

The following petitions were presented and placed on file by:

Senator Gentleman from thirty-three residents of Iowa opposing legislation providing for mandatory seatbelt and motorcycle helmet use.

Senator Holden from thirty-five residents of Scott County opposing state lottery legislation.

Senator Tieden from thirty-six residents of Clayton County opposing legislation that would lend IPERS money to farmers.

Senator Junkins from thirty-four residents of southeast Iowa opposing legislation providing for IPERS money being used to establish a state owned bank.

PRESENTATION OF VISITORS

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

Twenty-five fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mary Higgins. Senator Gentleman.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 228, by Committee on Local Government, a bill for an act authorizing a city to impose additional conditions on property owners as a condition to zoning changes.

Read first time and placed on calendar.

Senate File 229, by Committee on Judiciary, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties.

Read first time and placed on calendar.

Senate File 230, by Committee on Judiciary, a bill for an act relating to qualifications of sureties.

Read first time and placed on calendar.

Senate File 231, by Committee on Judiciary, a bill for an act relating to the release of information concerning a missing child.

Read first time and placed on calendar.

Senate File 232, by Horn, a bill for an act to allow the harvest of roadside areas from the right-of-way of certain highways by adjacent property owners.

Read first time and passed on file.

Senate File 233, by Corning, Readinger, Holt, Vande Hoef and Soorholtz, a bill for an act relating to the testimony and statements of child victims and witnesses.

Read first time and passed on file.

Senate File 234, by Taylor, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple misdemeanor.

Read first time and passed on file.

Senate File 235, by Taylor, a bill for an act relating to the release of information concerning a missing child.

Read first time and passed on file.

Senate File 236, by Miller of Des Moines, Carr and Tieden, a bill for an act to repeal the fifty percent of sales requirement for Sunday beer and liquor sales.

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.

APPENDIX

**REPORT OF THE COMMITTEE ON
MEMORIAL RESOLUTIONS**

MR. PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committees to prepare suitable memorial resolutions:

DUANE DEWEL, Algona

Senator Berl Priebe, Chair
Senator C. Joseph Coleman
Senator Lee W. Holt

PETER F. HANSEN, Manning

Senator C.W. Bill Hutchins, Chair
Senator Donald V. Doyle
Senator Norman G. Rodgers

J. HENRY LUCKEN, Le Mars

Senator Donald V. Doyle, Chair
Senator Lee Holt
Senator Douglas Ritsema

CLIFFORD M. VANCE, Mt. Pleasant

Senator Charles P. Miller, Chair
Senator Lowell L. Junkins
Senator Forrest V. Schwengels

**CHARLES P. MILLER, Chair
C. JOSEPH COLEMAN
RAY TAYLOR
DALE L. TIEDEN**

SENATE STUDY BILLS

SSB 161 Human Resources

Allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

SSB 162 Human Resources

Relating to the provision of podiatry care and treatment by health maintenance organizations.

SSB 163 Human Resources

Relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility.

SSB 164 Human Resources

To protect children, relating to child abuse in facilities, child abuse information, child abuse investigations, guardianship of unaccompanied minors and minors without parents or guardians, county responsibility for certain child treatment costs, foster parent training, and the interstate compact on the placement of children.

SSB 165 Human Resources

Requiring individual and group health insurance policies, hospital and medical and surgical service contracts, health maintenance organizations, and other employee, insurance, or benefit policies, contracts, and plans to provide for the care and treatment of mental disorders.

SSB 166 Transportation

A concurrent resolution calling upon the Congress of the United States to enact legislation allowing the states to increase the fifty-five mile per hour speed limit on fully controlled-access, divided, multilaned highways located within their borders including the interstate highway system.

SSB 167 Judiciary

Relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

SSB 168 Judiciary

Relating to the licensure of private investigative and security agencies and providing an effective date.

SSB 169 Judiciary

Relating to the use of juvenile records against the child or former child in a sentencing proceeding in adult criminal court.

SSB 170 Energy and Environment

Establishing a superior claim and lien for unpaid costs and damages owed to the state by a person in regard to a hazardous condition.

SSB 171 Energy and Environment

Relating to the authority of the department of water, air and waste management over used oil.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Gardner, M.D., Des Moines, Iowa.

AMENDMENT FILED

S—3130 S. F. 25 House amendment

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:42 p.m., until 9:00 a.m., Tuesday, February 12, 1985.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 12, 1985

The Senate met in regular session at 9:06 a.m., President Anderson presiding.

Prayer was offered by the Reverend Carl Riggs, pastor of the First United Presbyterian Church, Fairfield, Iowa.

The journal of Monday, February 11, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the morning on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 237, by Miller of Des Moines, Carr, Wells and Tieden, a bill for an act to repeal the special fifteen percent tax imposed on retail liquor licensees.

Read first time and passed on file.

SPECIAL GUEST

Senator Coleman appeared in the well of the senate and presented Jamie Barker from Gowrie, the 1985 Iowa Easter Seal Ambassador.

Jamie, who was accompanied by her parents, Gus and Linda Barker, enjoys art, reading and music. She is a member of the Campfire Bluebirds, sings in the youth choir at her church and is an avid fan of the Kansas City Royals.

Jamie addressed the Senate with the following remarks:

Easter Seals helps people with handicaps. They help make our lives happier by furnishing special equipment and by making Camp Sunnyside possible. I've attended camp the last two years and have loved it. I've done many things there that I'd never done before, such as fishing, camping and boating.

I'm nine years old, a third grader in Prairie Elementary School in Callender, Iowa. I was born with Cerebral Palsy. My parents were told that I'd never walk. When I moved into the Prairie School District—they hired an aide to help me through my day at school. Area AEA sent therapists to help my aide help me. My physical therapist said with lots of physical therapy I could eventually walk. So my aide and I do physical therapy twice a day. I ride a tricycle to different classes and I'm learning to use a typewriter. These things make it possible for me to attend a regular school and be a regular kid. This is very important to me. Both school and AEA have furnished a lot of special equipment for me. They have all made my goal of walking seem more possible. I'm working with a walker now and hopefully will be walking on my own with it by the end of the school year.

I'm asking for your support in helping Easter Seals, the public schools, and Area AEA's to help all handicap people lead a better life. We need all these groups working together as a team to help handicapped people help themselves.

I love being one of the regular kids and that's not possible for a lot of handicap kids who can't attend public schools. I love going to Prairie Elementary School because they let me be just another kid in school.

Thank you for allowing me to tell my story.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:16 a.m., until 3:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****ENERGY AND ENVIRONMENT**

Convened: February 7, 1985, 2:35 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, Carr, A. Miller, Gronstal, Soorholtz, Hultman and Rife.

Members Absent: none.

Final Bill Action: SENATE FILE 241 (SSB 139), a bill for an act relating to membership on the interagency coordinating council on radiation safety.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Bruner, Colton, Corning, Carr, Brown, A. Miller, Gronstal, Soorholtz, Hultman and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Other Committee Business: The Department of Water, Air and Waste Management presented their legislative priorities.

Adjourned: 3:05 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 11, 1985, 3:30 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Hultman, Rife, Wells and Welsh.

Members Absent: Holden (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:55 p.m.

STATE GOVERNMENT

Convened: February 11, 1985, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: none.

Committee Business: Approved SSB 149 and ordered redrafted as a committee bill.

Adjourned: 2:55 p.m.

WAYS AND MEANS

Convened: February 11, 1985, 1:40 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner (arrived 1:42 p.m.), Dieleman, Gratias (arrived 1:50 p.m.), Gronstal, Holt, Mann (arrived 1:42 p.m.), Readinger and Soorholtz.

Members Absent: Holden and Rodgers (excused).

Committee Business: Carl Castelda from the Department of Revenue addressed the committee and reviewed their legislative proposals.

Adjourned: 2:30 p.m.

COMMITTEE REPORT

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 63, a bill for an act relating to the approval of attorney fees by the Iowa department of job service.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Hultman, Rife, Wells and Welsh. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	14	State Government
S. F.	221	Judiciary
S. F.	222	Human Resources
S. F.	223	Transportation
S. F.	224	Judiciary
S. F.	225	Education
S. F.	226	Judiciary
S. F.	227	Transportation
S. F.	232	Transportation
S. F.	233	Judiciary
S. F.	234	Judiciary
S. F.	235	Judiciary
S. F.	236	State Government
H. F.	70	Small Business
H. F.	87	Education
H. F.	183	Natural Resources

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the House amendment S—3129 to Senate File 163, the following technical correction was made:

1. Page 1, line 4, language in quotes was changed to a paragraph.

K. Marie Thayer
Secretary of the Senate

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the appointment of James G. McCullagh as a member of the State Foster Care Review Board, completed its investigation on February 12, 1985, and recommends the appointment be confirmed.

AFTERNOON SESSION

The Senate reconvened at 3:31 p.m., Senator Kinley presiding.

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 8, 1985, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 10, a resolution to encourage and support the governor and the Iowa development commission in their efforts to convince the general motors corporation to locate the new saturn factory in Iowa.

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Holden, a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the office of lieutenant governor.

Read first time and passed on file.

Senate File 238, by Readinger, a bill for an act relating to city civil service and incorporating a penalty, with an effective date.

Read first time and passed on file.

Senate File 239, by Drake, Holt, Vande Hoef and Taylor, a bill for an act relating to the custody of children by an abandoned spouse.

Read first time and passed on file.

Senate File 240, by Drake, Tieden, Waldstein, Jensen, Ritsema, Schwengels, Holt, Vande Hoef, Taylor and Hultman, a bill for an act permitting a state bank to retain ownership of real property for up to five years if the real property is acquired by foreclosure or certain other debt collection procedures.

Read first time and passed on file.

Senate File 241, by Committee on Energy and Environment, a bill for an act relating to membership on the interagency coordinating council on radiation safety.

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

Senate File 242, by Schwengels and Taylor, a bill for an act authorizing a capitol restoration check off and a state historical building checkoff from individual or joint income tax returns, and providing an effective date.

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

Senate File 243, by Gratias, a bill for an act to provide for the imposition of an income surtax for payment of one half the principal and interest due on bonds issued by a school district.

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

Senate File 244, by Committee on Human Resources, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

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

Senate File 245, by Deluhery, a bill for an act relating to jurors, jury commissions and juror selection and providing penalties.

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

Senate File 246, by Holden, a bill for an act to prohibit children under age sixteen from working at a street occupation before seven o'clock a.m.

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

COMMITTEE OF THE WHOLE

Senator Junkins moved that the Senate now resolve itself into a committee of the whole to consider plans to resolve Iowa's farm crisis and that Senator Priebe serve as chair of the committee.

The motion prevailed by a voice vote.

Senator Priebe took the chair at 3:42 p.m.

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

The vote revealed 48 present, 2 absent and a quorum present.

The following panelists appeared in the well of the Senate for questions and answers concerning Iowa's farm problems:

John Chrystal, Bankers Trust Company

Neal Conover, Iowa Bankers Association

Neil Harl, Agriculture Economist, Iowa State University

Tom Huston, Iowa Superintendent of Banking

Dean Kleckner, President of the Iowa Farm Bureau Federation

Gary Lamb, concerned farmer/organizer

Neil Milner, Iowa Bankers Association

Tom Stanberry, bonds attorney

Dixon Terry, Iowa Farm Unity Coalition

Senator Junkins moved that the Committee of the Whole recommend to the Senate Agriculture Committee to forward to the Senate a plan that provides for:

1. A buy-down of interest on troubled farm loans.
2. Funding of the interest buy-down through a bonding mechanism in lieu of any general tax increase.
3. Explore and recommend if a guarantee on troubled agriculture loans is possible.
4. Explore possibilities of incorporating interest write down legislative measures that would assure cross-compliance with federal debt restructuring programs.
5. Provide a five-year trailing edge.

The motion prevailed by a voice vote.

On motion of Senator Junkins, the Senate arose from the committee of the whole and resumed regular session.

APPENDIX**SENATE STUDY BILLS****SSB 172 Transportation**

Requiring political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

SSB 173 Education

Relating to the membership of the state board of regents.

SSB 174 Judiciary

Relating to the jurisdiction of district associate judges.

SSB 175 Human Resources

Relating to funding of approved juvenile detention and shelter care homes and to the exemptions from the foster care licensing requirements of chapter 237.

SSB 176 Human Resources

Relating to the regulation, licensing, and funding of certain substance abuse programs.

SSB 177 Human Resources

Providing coverage under individual and group policies of accident and health insurance for the treatment of chemical dependency on substantially the same basis as other physical health care coverages, with certain limitations.

SSB 178 Judiciary

Repealing provisions relating to mandatory minimum sentences for certain controlled substances violations and the treatment of records in such cases when the offender was a child in adult court.

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE FILE 244 (SSB 68), a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Wells, Bruner, Gentleman, Carr, Taylor, Gratias, Readinger, C. Miller, Vande Hoef, Murphy, Hannon and Coleman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

Senator Readinger welcomed to the Senate chamber Mr. Aykut TUZCU of Turkey, who was visiting the United States under the auspices of the United States Information Agency's (USIA) International Visitor Program.

AMENDMENTS FILED

S-3131	S. F.	229	Douglas Ritsema
S-3132	S. R.	6	Julia B. Gentleman
S-3133	S. R.	6	Julia B. Gentleman

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:30 p.m., until 9:00 a.m., Wednesday, February 13, 1985.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 13, 1985

The Senate met in regular session at 9:06 a.m., President Anderson presiding.

Prayer was offered by the Father Eugene Kutsch, pastor of the St. Judes Catholic Church, Cedar Rapids, Iowa.

The Journal of Tuesday, February 12, 1985, 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 February 12, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 205, a bill for an act to appropriate funds to the department of public instruction for educational excellence grants.

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

INTRODUCTION OF BILLS

Senate File 247, by Committee on Labor and Industrial Relations, a bill for an act relating to the authority, procedures and standards for the issuance of search warrants to the bureau of labor.

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

Senate File 248, by Committee on Labor and Industrial Relations, a bill for an act relating to the denial of liability by an employer with notice of the occurrence of an injury and claim for workers' compensation benefits.

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

Senate File 249, by Committee on Labor and Industrial Relations, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

Read first time and placed on calendar.

Senate File 250, by Committee on State Government, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

Read first time and placed on calendar.

Senate File 251, by Carr, Wells and Tieden, a bill for an act establishing a maximum civil liability for losses caused by the distribution of beer or intoxicating liquor to a person while the person is intoxicated, or if the distribution results in intoxication.

Read first time and passed on file.

SPECIAL GUEST

Senator Junkins welcomed Spider-Man to the Senate chamber with the following remarks:

Today, Senator Hultman and myself are honored to introduce a superhero — Spider-Man. Spider-Man is usually combating villains and saving the world from destruction. But, he has taken on a new task—protecting children—children who have been victims of child abuse.

We have all read the shocking newspaper accounts of child sexual abuse and have heard startling statistics which indicate that sexual abuse is a prevalent problem in Iowa. Statistics such as:

One in four females will be sexually victimized by age 18,

One in seven boys will be similarly mistreated by age 18,

The average age of an abused child is 7.1 years; and,

The number of abuse reports have doubled in five years.

Spider-Man is working to combat these statistics.

The most common myth associated with child sexual abuse is that the molester is someone who wears a trench coat and the molester is not someone we know.

However, studies have found that the typical molester is a friend or a family member, white middle class, probably college educated, lives in a suburban lifestyle and may even live next door. Spider-Man will be telling people that the villain does not always wear the black hat.

Child sexual abuse has been called the silent epidemic. However, with the help of Spider-Man and others this can be changed and the State of Iowa will be a safe place for our children.

Spider-Man will be speaking to children and encouraging children to tell someone if they have been sexually abused. In addition, a Spider-Man comic supplement will appear in the Des Moines Register. The Spider-Man comic strip will help to increase awareness of the problem of child sexual abuse. This is a very commendable project and I hope that others will follow the lead because much more attention needs to be focused on this area.

Spider-Man spoke to the Senate briefly and said that "with the help of leaders, such as the members of Senate, more people might become aware of the problem of child sexual abuse and hopefully some day the world, state and city would be a safer place for the kids."

RECESS

On motion of Senator Junkins, the Senate recessed at 9:21 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: February 12, 1985, 9:42 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Presentation of budget requests by Andrew Varley, Chairman of the Iowa Commerce Commission and James R. Maret, Consumer Advocate; Jack Bailey, Director of the Iowa Development Commission, gave a presentation on his department.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 12, 1985, 9:40 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Lind, Ranking Member; Nystrom and Small.

Members Absent: none.

Committee Business: Budget hearing on the Board of Regents.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 12, 1985, 9:50 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Department of Substance Abuse gave overview of department functions and budget requests.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 12, 1985, 9:45 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Brunier and Gentleman.

Members Absent: Vande Hoef, Ranking Member (excused).

Committee Business: Jack Dack, Commandant of the Iowa Veterans' Home, spoke on budget recommendations; Pat Cavanaugh, Department of Human Services, discussed budget requests for DHS General Services; and Bill Armstrong, Department of Human Services, spoke on capital requests.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 12, 1985, 9:45 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair (excused and arrived at 11:00 a.m.); Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: John Baldwin, Department of Corrections, presented central office requests and a discussion was held on the prison cap.

Adjourned: 11:49 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY & LICENSING

Convened: February 12, 1985, 9:50 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member and Jensen.

Members Absent: Rodgers (excused).

Committee Business: Budget decisions on agencies.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 12, 1985, 10:08 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member; Corning and Mann.

Members Absent: none.

Committee Business: Presentation of the budget for Terrace Hill and discussion of some of the items on the Comptroller's budget.

Adjourned: 10:48 a.m.

EDUCATION

Convened: February 12, 1985, 1:30 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:30 p.m.

HUMAN RESOURCES

Convened: February 12, 1985, 8:34 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Taylor, Gratias, Readinger, C. Miller, Vande Hoef, Murphy, Hannon and Coleman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointee, James McCullagh; approved SSB 68 as a committee bill.

Adjourned: 9:03 a.m.

JUDICIARY

Convened: February 12, 1985, 2:30 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 57 as a committee bill; presentation by Richard Ramsey of the Criminal and Juvenile Justice Planning Agency.

Adjourned: 3:30 p.m.

TRANSPORTATION

Convened: February 12, 1985, 1:35 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Goodwin, Kinley and A. Miller.

Members Absent: Gettings, Jensen and Nystrom.

Committee Business: Assigned bills to subcommittees; approved SSB 166 and ordered redrafted as a committee bill.

Adjourned: 1:50 p.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 254 (SSB 100), a bill for an act relating to administrative endorsements and certificates issued by the board of educational examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Brown, Gratias, Colton, Corning, Hannon, Murphy, Taylor and Wells. Nays, 2: Horn and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 247 (SSB 64), a bill for an act relating to the authority, procedures and standards for the issuance of search warrants to the bureau of labor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Hultman, Rife, Wells and Welsh. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 248 (SSB 20), a bill for an act relating to the denial of liability by an employer with notice of the occurrence of an injury and claim for workers' compensation benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Hultman, Rife, Wells and Welsh. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 249 (SSB 134), a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Mann, Gettings, Colton, Deluhery, Wells and Welsh. Nays, 3: Jensen, Hultman and Rife. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 250 (SSB 149), a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, 1: Coleman.

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 engrossing Senate amendment S—3119 to Senate File 103, the following technical correction was made:

1. Line 8, by inserting the word "public" after the word "county".

K. MARIE THAYER
Secretary of the Senate

SENATE STUDY BILLS**SSB 179 Judiciary**

Relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

SSB 180 Commerce

Relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

SSB 181 Energy and Environment

Relating to water wells by providing for regulation of water wells and the registration of water well contractors.

SSB 182 Ways and Means

Relating to the definitions of "retail sale" and "sale at retail" for purposes of the state sales, services and use tax by excluding from the definitions the sale of livestock or domesticated fowl for breeding purposes, and by reenacting those definitions so that the definitions do not include for purposes of the tax the sale of materials, other than tools and equipment, used in disease, weed and insect control or health promotion of plants or livestock produced as part of agricultural production for market, the sale of motor vehicle fuel consumed in implements of husbandry engaged in agricultural production, and the sale of fuel used in drying grain.

SSB 183 Ways and Means

Relating to games of skill, chance and raffles.

SSB 184 Ways and Means

Relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, for the taxation of the possession of a general power of appointment, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions.

SSB 185 Ways and Means

Relating to the apportionment of net income of a farm corporation for purposes of the corporate income tax, with a retroactive effective date.

SSB 186 Ways and Means

Authorizing a capitol restoration checkoff and a state historical building checkoff from individual or joint income tax returns, and providing an effective date.

SSB 187 Ways and Means

Relating to the increase in the personal property tax credit.

SSB 188 Ways and Means

A concurrent resolution relating to property tax relief for a surviving spouse sixty-two years and over.

SSB 189 Ways and Means

Relating to the payment of property tax.

SSB 190 Ways and Means

Relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing

of these reports with the department of revenue; providing for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates.

SSB 191 Ways and Means

Relating to the payment of fuel taxes and sales, services, and use tax returns, and subjecting violators to a penalty.

SSB 192 Ways and Means

Relating to the assessment of computers and industrial equipment.

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Anderson presiding.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 12, 1985

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 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

Communication was read and referred to the committee on **Rules and Administration**.

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 6, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty.

ALSO: That the House has on February 11, 1985, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 77, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions (S—3135).

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by Committee on Rules and Administration, a senate resolution relating to gubernatorial appointments requiring senate confirmation.

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

INTRODUCTION OF BILLS

Senate File 252, by Lind, a bill for an act relating to the registration fee for motor trucks with a combined gross weight of less than three tons.

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

Senate File 253, by Gratias, a bill for an act to establish the Iowa grain indemnity authority.

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

Senate File 254, by Committee on Education, a bill for an act relating to the administrative endorsements and certificates issued by the board of educational examiners.

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

Senate File 255, by Gronstal, Palmer, Readinger, Wells, Gentleman, Carr, Mann, Miller of Des Moines, Junkins, Brown, Lind and Miller of Cerro Gordo, a bill for an act relating to the imposition of a local option income surtax, vehicle tax, and sales and services tax by a city or county and providing for penalties.

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

Senate File 256, by Coleman, a bill for an act requiring automatic volume controls on radios and televisions sold in Iowa and providing an effective date.

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

Senate File 257, by Committee on Education, a bill for an act to discontinue the issuance of the permanent professional certificate for teachers and providing an effective date.

Read first time and placed on calendar.

Senate File 258, by Neighbour, a bill for an act to increase the handling fee for beverage containers.

Read first time and passed on file.

Senate File 259, by Committee on Education, a bill for an act to change the names of the education agency, governing board, and chief administrative officer to department of education, state board of education, and commissioner of education and to change the method of appointing the chief administrative officer.

Read first time and placed on calendar.

Senate File 260, by Brown, a bill for an act requiring the child support recovery unit within the department of human services to function as the statewide child support collection agency for the receipt and distribution of all temporary and permanent child and spousal support payments.

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 44 present, 6 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Neighbour for the afternoon on request of Senator Hutchins.

CONFIRMATION OF GOVERNOR'S 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:

Director of the Commission on Children, Youth and Families

Ann B. Thompson, committee recommendation found on page 190 of the Senate Journal.

Director of the Iowa Family Farm Development Authority

William H. Greiner, committee recommendation found on page 207 of the Senate Journal.

Jobs Commission

Cynthia B. Lidgett, committee recommendation found on page 154 of the Senate Journal.

Board of Social Work Examiners

Francis Millard Hellert and Virginia J. Poffenberger, committee recommendations found on page 190 of the Senate Journal.

Leonard C. Larson, committee recommendation found on page 250 of the Senate Journal.

Judith Kaye Rinehart, committee recommendation found on page 284 of the Senate Journal.

Alyce Ann Clasen, committee recommendation found on page 334 of the Senate Journal.

State Foster Care Review Board

H. May Roberts, committee recommendation found on page 266 of the Senate Journal.

Iowa State Civil Rights Commission

Lorenzo D. Creighton, committee recommendation found on page 274 of the Senate Journal.

State Board of Regents

Bass Van Gilst, committee recommendation found on page 274 of the Senate Journal.

Iowa Housing Finance Authority

Lloyd E. Clarke, committee recommendation found on page 293 of the Senate Journal.

Senator Junkins moved the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Neighbour	Nystrom	Schwengels
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 25

Senator Wells called up for consideration Senate File 25, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn, amended by the House, and moved that the Senate concur in House amendment S—3130 filed February 11, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Wells 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. 25) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Husak

Absent or not voting, 3:

Murphy Neighbour Nystrom

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

UNFINISHED BUSINESS (Deferred February 11, 1985)

Senate Resolution 6

The Senate resumed consideration of Senate Resolution 6, a resolution to provide a senate code of ethics for the seventy-first general assembly, deferred on February 11, 1985.

Senator Gentleman offered amendment S—3132 filed by her on February 12, 1985, to pages 1, 2, 3, 4, 5 and 6 of the resolution and moved its adoption.

Amendment S—3132 was adopted by a voice vote.

Senator Gentleman offered amendment S—3133 filed by her on February 12, 1985, to page 3 of the resolution and moved its adoption.

Amendment S—3133 was adopted by a voice vote.

Senator Gettings moved the adoption of Senate Resolution 6 as amended, which motion prevailed by a voice vote and the resolution as amended, was adopted.

INTRODUCTION OF BILL

Senate File 261, by Neighbour, a bill for an act relating to the residence of township officers.

Read first time and passed on file.

APPENDIX**COMMITTEE REPORTS****EDUCATION**

Final Bill Action: SENATE FILE 257 (SSB 69), a bill for an act to discontinue the issuance of the permanent professional certificate for teachers and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Hannon, Lind, Murphy, Taylor, Wells and Corning. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 259 (SSB 70), a bill for an act to change the names of education agency, governing board, and chief administrative officer to department of education, state board of education, and commissioner of education and to change the method of appointing the chief administrative officer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 7, a resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 9, a resolution relating to amendments by suspension of germaneness.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 27, a bill for an act relating to the investment policies for funds available to certain state agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SENATE STUDY BILLS

SSB 193 State Government

Relating to the licensure of dietitians and nutritionists.

SSB 194 Commerce

Permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

SSB 195 Agriculture

Relating to drainage and drainage districts.

SSB 196 Education

Relating to the appropriation of moneys for students enrolled in certain high school foreign language courses and the uses for which those moneys may be expended.

SSB 197 Education

Relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts.

SSB 198 Local Government

Relating to the civil service status of chiefs of police.

SSB 199 Local Government

Relating to qualifying for office.

SSB 200 Local Government

Relating to the declaration of noxious weeds.

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the appointment of Jacqueline Mayfield as a member of the State Foster Care Review Board, completed its investigation on February 13, 1985, and recommends the appointment be confirmed.

**REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following appointment to a state board to a standing committee as indicated for investigation on February 13, 1985:

Patrick Cavanaugh—Director of the Iowa Beer & Liquor Control Department—
State Government

LOWELL L. JUNKINS, Chair

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles W. Beckman, M.D., Kalona, Iowa.

AMENDMENTS FILED

S—3134	S. F.	189	Charles H. Bruner
S—3135	S. F.	77	House amendment
S—3136	S. F.	228	Hurley Hall
S—3137	S. F.	189	Charles H. Bruner

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Thursday, February 14, 1985.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 14, 1985

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

Prayer was offered by the Reverend Earl Deugan, pastor of the First Baptist Church, Eldora, Iowa.

The Journal of Wednesday, February 13, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 262, by Drake and Coleman, a bill for act exempting vehicles used exclusively in interstate commerce from the vehicle use tax.

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

Senate File 263, by Waldstein, Schwengels, Holt, Vande Hoef and Taylor, a bill for an act prohibiting the use of good conduct time to reduce mandatory minimum sentences imposed by the court.

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

Senate File 264, by Waldstein, Tieden, Schwengels, Gratias and Taylor, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

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

Senate File 265, by Waldstein, Ritsema, Schwengels, Holt, Vande Hoef and Taylor, a bill for an act making the one-week waiting period before the receipt of unemployment compensation benefits permanent.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:10 a.m., until 4:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

Senate Joint Resolution 3

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

Senate File 125

ENERGY & ENVIRONMENT: Corning, Chair; Gronstal and Bruner

Senate File 126

ENERGY & ENVIRONMENT: Corning, Chair; Gronstal and Bruner

Senate File 127

ENERGY & ENVIRONMENT: Corning, Chair; Gronstal and Bruner

Senate File 129

APPROPRIATIONS: Dieleman, Chair; Ritsema and Small

Senate File 138

COMMERCE: Holden, Chair; Deluhery and Jensen

Senate File 142

APPROPRIATIONS: Gettings, Chair; Readinger and Husak

Senate File 144

APPROPRIATIONS: Tieden, Chair; Gettings and Husak

Senate File 158**TRANSPORTATION: Kinley, Chair; Nystrom and Goodwin****Senate File 159****TRANSPORTATION: Nystrom, Chair; Hall and Jensen****Senate File 165****TRANSPORTATION: Drake, Chair; Kinley and Gettings****Senate File 166****NATURAL RESOURCES: Priebe, Chair; Schwengels and Hannon****Senate File 167****LOCAL GOVERNMENT: Wells, Chair; A. Miller and Waldstein****Senate File 174****TRANSPORTATION: Doyle, Chair; A. Miller and Hall****Senate File 175****APPROPRIATIONS: Small, Chair; Tieden and Gronstal****Senate File 179****LOCAL GOVERNMENT: Priebe, Chair; Neighbour and Lind****Senate File 183****TRANSPORTATION: Doyle, Chair; Kinley and Goodwin****Senate File 184****LOCAL GOVERNMENT: C. Miller, Chair; A. Miller and Waldstein****Senate File 186****NATURAL RESOURCES: Schwengels, Chair; Tieden and Hannon****Senate File 188****TRANSPORTATION: Hall, Chair; Gettings and Jensen**

Senate File 190

EDUCATION: Hannon, Chair; Murphy and Corning

Senate File 191

HUMAN RESOURCES: Coleman, Chair; Hannon and Taylor

Senate File 192

LOCAL GOVERNMENT: Hall, Chair; Lind and Priebe

Senate File 193

EDUCATION: Brown, Chair; Hannon and Corning

Senate File 194

LOCAL GOVERNMENT: Vande Hoef, Chair; Neighbour and C. Miller

Senate File 195

COMMERCE: Holden, Chair; Deluhery and Jensen

Senate File 196

EDUCATION: Brown, Chair; Murphy and Gratias

Senate File 197

EDUCATION: Corning, Chair; Horn and Colton

Senate File 198

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

Senate File 199

STATE GOVERNMENT: Horn, Chair; Carr and Corning

Senate File 200

JUDICIARY: Mann, Chair; Ritsema and Carr

Senate File 201

COMMERCE: Holden, Chair; Deluhery and Jensen

Senate File 203

JUDICIARY: Drake, Chair; Mann and Small

Senate File 205

COMMERCE: Kinley, Chair; Palmer, Gronstal, Holden and Tieden

Senate File 206

STATE GOVERNMENT: Dieleman, Chair; Carr and Drake

Senate File 207

STATE GOVERNMENT: Dieleman, Chair; Bruner and Nystrom

Senate File 208

COMMERCE: Palmer, Chair; Kinley and Holden

Senate File 209

JUDICIARY: Ritsema, Chair; Mann and Small

Senate File 210

JUDICIARY: Ritsema, Chair; Carr and Mann

Senate File 214

AGRICULTURE: Husak, Chair; Hutchins and Soorholtz

Senate File 216

EDUCATION: Lind, Chair; Brown and Hannon

Senate File 217

JUDICIARY: Deluhery, Chair; Drake and Carr

Senate File 218

JUDICIARY: Taylor, Chair; Small and Gentleman

Senate File 221

JUDICIARY: Mann, Chair; Gentleman and Horn

Senate File 222

HUMAN RESOURCES: Bruner, Chair; Gratias and Hannon

Senate File 224

JUDICIARY: Horn, Chair; Mann and Holt

Senate File 225

EDUCATION: Colton, Chair; Brown and Corning

Senate File 226

JUDICIARY: Carr, Chair; Doyle and Taylor

Senate File 233

JUDICIARY: Mann, Chair; Ritsema and Small

Senate File 234

JUDICIARY: Carr, Chair; Gentleman and Mann

Senate File 235

JUDICIARY: Doyle, Chair; Ritsema and Mann

Senate File 236

STATE GOVERNMENT: Welsh, Chair; Carr and Rife

Senate Concurrent Resolution 13

EDUCATION: Horn, Chair; Wells and Taylor

Senate Concurrent Resolution 14

STATE GOVERNMENT: Schwengels, Chair; Horn and Drake

House File 38

EDUCATION: Gratias, Chair; Hannon and Wells

House File 87

EDUCATION: Murphy, Chair; Gratias and Brown

House File 100**EDUCATION: Gratias, Chair; Hannon and Murphy****House File 183****NATURAL RESOURCES: Hall, Chair; Husak and Gratias****SSB 85****HUMAN RESOURCES: Murphy, Chair; C. Miller and Gratias****SSB 146****NATURAL RESOURCES: Goodwin, Chair; Doyle and Gratias****SSB 150****TRANSPORTATION: A. Miller, Chair; Jensen and Hall****SSB 152****NATURAL RESOURCES: Neighbour, Chair; Doyle and Gratias****SSB 159****STATE GOVERNMENT: Mann, Chair; Drake and Dieleman****SSB 160****JUDICIARY: Doyle, Chair; Mann and Ritsema****SSB 163****HUMAN RESOURCES: Coleman, Chair; Gentleman and Bruner****SSB 164****HUMAN RESOURCES: Carr, Chair; Murphy and Readinger****SSB 166****TRANSPORTATION: Kinley, Chair; Jensen and Doyle****SSB 167****JUDICIARY: Gentleman, Chair; Carr and Ritsema**

SSB 168

JUDICIARY: Doyle, Chair; Horn and Holt

SSB 169

JUDICIARY: Mann, Chair; Doyle and Gentleman

SSB 170

ENERGY & ENVIRONMENT: Colton, Chair; Bruner, A. Miller, Corning and Hultman

SSB 171

ENERGY & ENVIRONMENT: Bruner, Chair; A. Miller and Corning

SSB 172

TRANSPORTATION: Doyle, Chair; Nystrom and Jensen

SSB 173

EDUCATION: Corning, Chair; Gratias and Murphy

SSB 174

JUDICIARY: Ritsema, Chair; Doyle and Mann

SSB 178

JUDICIARY: Carr, Chair; Horn and Gentleman

SSB 179

JUDICIARY: Mann, Chair; Drake and Horn

SSB 180

COMMERCE: Holden, Chair; Kinley and Priebe

SSB 194

COMMERCE: Holden, Chair; Kinley and Priebe

SSB 196

EDUCATION: Brown, Chair; Murphy and Gratias

SSB 197

EDUCATION: Brown, Chair; Colton and Taylor

SSB 201

LABOR & INDUSTRIAL RELATIONS: Mann, Chair; Hultman and Deluhery

SSB 205

STATE GOVERNMENT: Drake, Chair; Carr and Nystrom.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION**

Convened: February 13, 1985, 9:41 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member and Holden.

Members Absent: Priebe (excused).

Committee Business: Presentation by Fran Van Winkle, Director of Iowa Merit Employment Department.

Adjourned: 10:24 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 13, 1985, 9:50 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: The Department of Substance Abuse and Area Educational Agencies were present for questions and answers.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 13, 1985, 9:50 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Ann Thompson spoke on the Commission of Children, Youth and Families; Joan Vogts, Director and Carol Worlan Young, Chair, spoke on the State Foster Care Review Board budget recommendations.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 13, 1985, 9:50 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Presentation by Gary Baugher, Chair, Iowa Board of Corrections, and discussion on the prison cap.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 13, 1985, 9:48 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member and Corning.

Members Absent: Mann.

Committee Business: Budget presentations by Dale Nelson, Data Processing and Jerry Gamble, Inspector General; budget discussion with William Krahl, State Comptroller.

Adjourned: 11:46 a.m.

AGRICULTURE

Convened: February 13, 1985, 3:35 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; discussed drafting legislation dealing with buy down of interest on farm loans.

Adjourned: 3:43 p.m.

COMMERCE

Convened: February 13, 1985, 1:35 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins (arrived 2:41 p.m.), Jensen, Nystrom, Palmer and Tieden.

Members Absent: Priebe.

Committee Business: Assigned bills to subcommittees and discussed two proposed bills.

Adjourned: 1:42 p.m.

EDUCATION

Convened: February 13, 1985, 3:30 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratiias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:38 p.m.

ENERGY AND ENVIRONMENT

Convened: February 13, 1985, 8:55 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Brown, Gronstal, A. Miller, Hultman, Soorholtz and Rife.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:00 a.m.

HUMAN RESOURCES

Convened: February 13, 1985, 1:35 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, C. Miller, Readinger, Vande Hoef, Gratias and Taylor.

Members Absent: Murphy.

Committee Business: Recommended confirmation of governor's appointee, Jackie Mayfield; assigned bills to subcommittees.

Adjourned: 1:42 p.m.

NATURAL RESOURCES

Convened: February 13, 1985, 8:00 a.m.

Members Present: Hall, Chair; Schwengels, Ranking Member; Goodwin, Gratias, Hannon, Hester, Husak, Neighbour and Tieden.

Members Absent: Priebe, Vice Chair, Doyle and Rodgers.

Committee Business: Presentation by representatives of the State Conservation Commission concerning the park user fee bill, followed by a question and answer period.

Adjourned: 9:04 a.m.

RULES AND ADMINISTRATION

Convened: February 13, 1985, 10:37 a.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Gettings and Jensen.

Members Absent: Kinley.

Committee Business: Approved Senate Concurrent Resolution 9, assigned Senate Resolution 4 to a subcommittee and approved proposed resolution relating to gubernatorial appointments.

Adjourned: 11:00 a.m.

STATE GOVERNMENT

Convened: February 13, 1985, 2:33 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; Senate File 27 reported to the senate calendar.

Adjourned: 3:00 p.m.

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO A BOARD OR COMMISSION

In accordance with Senate Rule 60, the following senators were appointed to a subcommittee of a standing committee:

STATE GOVERNMENT: As Director of the Iowa Beer and Liquor Control Department:

PATRICK CAVANAUGH: C. Miller, Chair; Coleman and Rife.

NOTICE OF HEARING

Patrick Cavanaugh, appointed by the Iowa Beer and Liquor Control Council as Director of the Iowa Beer and Liquor Control Department, will appear before the Senate State Government Committee on February 19, 1985, at 12:30 p.m., in Senate Room 22.

BOB CARR, Chair

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 38, a bill for an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 100, a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 267 (SSB 57), a bill for an act relating to arson by providing an inference of fraudulent intent.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Drake, Holt, Horn, Small and Taylor. Nays, 2: Coleman and Hester. Absent or not voting, 1: Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	4	State Government
S. F.	237	Ways and Means
S. F.	238	Local Government
S. F.	239	Judiciary
S. F.	240	Commerce
S. F.	242	Ways and Means

S. F.	243	Education
S. F.	244	Judiciary
S. F.	245	Judiciary
S. F.	246	Labor
S. F.	251	Judiciary
S. F.	252	Transportation
S. F.	253	Agriculture
S. F.	255	Ways and Means
S. F.	256	Commerce
S. F.	258	Energy & Environment
S. F.	260	Human Resources
S. F.	261	Local Government
S. F.	262	Ways and Means
S. F.	263	Judiciary
S. F.	264	Agriculture
S. F.	265	Labor
H. F.	205	Appropriations

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 244** was referred from the Regular Calendar to the committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 266, by Husak, Nystrom, Drake, Miller of Des Moines, Coleman, Boswell, Dieleman, Jensen, Priebe, Waldstein, Soorholtz, Vande Hoef, Hutchins, Rife, Brown, Miller of Cerro Gordo, Wells and Rodgers, a bill for an act relating to veteran preference in public employment and providing an effective date.

Read first time and passed on file.

Senate File 267, by Committee on Judiciary, a bill for an act relating to arson by providing an inference of fraudulent intent.

Read first time and placed on calendar.

Senate File 268, by Junkins and Hultman, a bill for an act relating to the establishment of 911 service and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, and including an appropriation.

Read first time and passed on file.

Senate File 269, by Committee on Appropriations, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

Read first time and placed on calendar.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Waldstein and Hester for the afternoon on request of Senator Hultman;
Senator Rife for the afternoon on request of Senator Holden.

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.

APPENDIX

SENATE STUDY BILLS

SSB 201 Labor & Industrial Relations

Relating to the exception of a fellow employee's gross negligence to the exclusive remedy rule under the workers' compensation law.

SSB 202 Judiciary

Relating to corrections by specifying a minimum time in which to conduct a presentence investigation and requiring the clerk of court to forward certain documents to the medical and classification center.

SSB 203 Judiciary

Expressly providing that the crime of escape from custody applies to offenders ordered to reside in community-based residential correctional facilities.

SSB 204 Judiciary

Relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed.

SSB 205 State Government

Amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with both minor and adult offenders, and modifying statutes relating to allowances paid to inmates for work, absconding from work release, length of work release, temporary confinement of work release violators, departmental employees as chauffeurs, and district court report of criminal convictions.

SSB 206 Appropriations

Relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

SSB 207 Judiciary

Relating to the establishment of a missing children information clearinghouse and providing procedures for the collection, maintenance, and dissemination of information received by the clearinghouse.

SSB 208 Judiciary

Creating the offense of child endangerment and providing penalties.

SSB 209 Judiciary

Relating to the joint trial of defendants charged in the same indictment or information.

SSB 210 Judiciary

Relating to the time in which a defendant may waive the defendant's right to a jury trial.

COMMITTEE REPORT**APPROPRIATIONS**

Final Bill Action: SENATE FILE 269 (SSB 206), a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Welsh, Small, Tieden, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Ritsema, Gentleman, Readinger, Schwengels and Lind. Nays, none. Absent or not voting, 3: Horn, Holt and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanton Danielson, M.D., Des Moines, Iowa.

AMENDMENT FILED

S—3138

S. F.

252

Thomas A. Lind

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 4:45 p.m., until 10:00 a.m., Monday, February 18, 1985.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 18, 1985

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

Prayer was offered by the Reverend Chester Davis, pastor of the United Methodist Church, Toledo, Iowa.

The Journal of Thursday, February 14, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the day on request of Senator Husak.

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 14, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select

from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 8, by Gentleman, a resolution commemorating the anniversary of the founding of the League of Women Voters.

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

INTRODUCTION OF BILLS

Senate File 270, by Miller of Des Moines, a bill for an act relating to locations where fur dealers may conduct business.

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

Senate File 271, by Committee on Education, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty.

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

Senate File 272, by Gratias, Waldstein, Schwengels, Lind and Taylor, a bill for an act relating to the evaluation of educational programs.

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

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 219** be referred from the Regular Calendar to the committee on **Appropriations**.

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.

Senator Hannon took the chair at 10:30 a.m.

HOUSE AMENDMENT CONSIDERED

Senate File 77

Senator Brown called up for consideration Senate File 77, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions, amended by the House, and moved that the Senate concur in House amendment S—3135 filed February 13, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Brown moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon 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. 77) the vote was:

Ayes, 36:

- | | | | |
|-----------|-----------|--------------|--------------|
| Boswell | Brown | Bruner | Carr |
| Coleman | Colton | Deluhery | Doyle |
| Drake | Gettings | Gronstal | Hannon |
| Hester | Holden | Holt | Horn |
| Husak | Hutchins | Junkins | Kinley |
| Lind | Mann | Miller, A.V. | Miller, C.P. |
| Murphy | Neighbour | Nystrom | Palmer |
| Readinger | Rife | Small | Soorholtz |

Vande Hoef

Waldstein

Wells

Welsh

Nays, 12:

Corning

Dieleman

Gentleman

Goodwin

Gratias

Hultman

Jensen

Priebe

Ritsema

Schwengels

Taylor

Tieden

Absent or not voting, 2:

Hall

Rodgers

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 February 6, 1985)

Senate File 24

The Senate resumed consideration of Senate File 24, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive, amendment S—3043 by the committee on Ways and Means to page 3 of the bill, and amendment S—3111 by Senators Bruner and Rife to amendment S—3043, deferred on February 6, 1985.

Senator Bruner asked and received unanimous consent to take up amendment S—3126.

Senator Bruner offered amendment S—3126 filed by Senators Bruner, et al., on February 7, 1985, to amendment S—3043.

Senator Small asked and received unanimous consent that further action on Senate File 24, amendments S—3043, S—3111 to S—3043 and S—3126 to S—3043 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 211.

Senate File 211

On motion of Senator Gratias, Senate File 211, a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984, was taken up for consideration.

Senator Gratias asked and received unanimous consent that further action on Senate File 211 be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration House File 100.

House File 100

On motion of Senator Gratias, House File 100, a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984, 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. 100) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Rodgers

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

WITHDRAWN

Senator Gratias asked and received unanimous consent that **Senate File 211** be withdrawn from further consideration of the Senate

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 215.

Senate File 215

On motion of Senator Corning, Senate File 215, a bill for an act requiring a free and appropriate public education for children requiring special education, was taken up for consideration.

Senator Corning moved that the bill be read the last time now and placed upon 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. 215) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 2:

Colton	Mann
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Absent or not voting, 1:

Rodgers

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 220.

Senate File 220

On motion of Senator Gratias, Senate File 220, a bill for an act to provide for the waiver of tuition for certain nonresident students under the sponsorship of a foreign student exchange program, 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. 220) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Lind

Absent or not voting, 2:

Hultman Rodgers

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 229.

Senate File 229

On motion of Senator Horn, Senate File 229, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties, was taken up for consideration.

Senator Ritsema offered amendment S—3131 filed by him on February 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3131 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 229** be deferred.

INTRODUCTION OF BILLS

Senate File 273, by Wells, a bill for an act providing coverage under group policies of accident and health insurance for the treatment of chemical dependency on substantially the same basis as other physical health care coverages, with certain limitations.

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

Senate File 274, by Horn, a bill for an act relating to the size of basketball used by certain students in grades kindergarten through twelve.

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

Senate File 275, by Nystrom, Schwengels, Horn and Carr, a bill for an act relating to the payment of life or health insurance premiums for certain employees of the department of public safety and the state conservation commission.

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

Senate File 276, by Committee on Judiciary, a bill for an act relating to the jurisdiction of district associate judges.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:58 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: February 14, 1985, 9:41 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member and Holden.

Members Absent: Priebe (excused).

Committee Business: Budget recommendations on Academy of Science, Job Service, Treasurer of State and Industrial Commissioner; discussion on Iowa Housing Finance Authority and Iowa Family Farm Development agencies.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 14, 1985, 9:40 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Department of Human Services presentations: Pat Cavanaugh—discussed departmental span of control study; Colleen Tompkins—discussed state's role in funding organ transplants; Babs Jackson—spoke on the medically needy program; Charles Palmer—discussed the studies on the following topics: recruitment of psychiatrists, population demands and trends at the state mental health institutions, programs and alternatives for Iowa veterans; Gary Gessman—intermediate and long term medical care facilities.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 14, 1985, 9:40 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein (arrived 10:05 a.m.)

Members Absent: none.

Committee Business: Judicial budget decision; set prison cap; discussion with Mr. Fisher, O.P.P., relating to prison commitment statistical analysis report.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 14, 1985, 9:40 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Discussed proposed budget.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 14, 1985, 9:40 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair, Corning and Mann.

Members Absent: Schwengels, Ranking Member.

Committee Business: Discussed the budget requests for the Administrative Rules Coordinator, the Capitol Planning Commission, the Executive Council, the Legislative Fiscal Bureau, the Legislative Service Bureau and Uniform Commission on Uniform Laws; committee will begin budget recommendations on February 19, 1985.

Adjourned: 10:26 a.m.

APPROPRIATIONS

Convened: February 14, 1985, 1:35 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Ritsema, Gentleman, Readinger, Schwengels and Lind.

Members Absent: Horn, Holt and Deluhery.

Committee Business: Approved SSB 206 as a committee bill and assigned bills to subcommittees.

Adjourned: 2:08 p.m.

ENERGY & ENVIRONMENT

Convened: February 14, 1985, 2:35 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Brown, A. Miller, Gronstal, Soorholtz and Hultman.

Members Absent: Rife (excused).

Committee Business: Approved SSBs 63 and 171 as committee bills.

Adjourned: 3:00 p.m.

JUDICIARY

Convened: February 14, 1985, 3:30 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 93 as a committee bill; reconsidered SSB 157; approved SSBs 91 and 174 as committee bills.

Adjourned: 4:30 p.m.

LOCAL GOVERNMENT

Convened: February 14, 1985, 3:35 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: Waldstein, Ranking Member and Lind (both excused).

Committee Business: Assigned bills to subcommittees; discussion of transfer of revenue funds.

Adjourned: 4:27 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 14, 1985, 8:10 a.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein.

Members Absent: Rife, Ranking Member.

Committee Business: Guest Speakers from the University of Iowa: James O. Freedman, President; Duane Spriestersbach, Vice President for Educational Development and Research; Professors George Cain, Rex Montgomery, Paul Scholz, William Berry and William Stwalley; Iowa State University, Lee Kolmer and Dan Zaffarano.

Adjourned: 9:35 a.m.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 271 (SSB 145), a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 276 (SSB 174), a bill for an act relating to the jurisdiction of district associate judges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Dieleman, Deluhery, Drake, Gentleman, Holt, Hester, Small and Taylor. Nays, none. Absent or not voting, 2: Carr and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITIONS

The following petitions were presented and placed on file by:

Senator Mann from nineteen residents of Iowa opposing legislation providing for mandatory seatbelt and motorcycle helmet use.

Senator Junkins from twenty residents of Lee County opposing legislation requiring the first day of school not be sooner than the first day of September except under certain conditions.

Senator Readinger from twenty residents of Polk County opposing legislation on the use of state income tax information for the distribution of Chapter 1 funds for remedial reading and math programs.

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 February 18, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 41, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984 and providing an effective date by publication.

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

House File 66, 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.

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

House File 265, a bill for an act authorizing a city or a county to impose additional conditions on property owners as a condition to zoning changes.

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

INTRODUCTION OF BILLS

Senate File 277, by Priebe and Husak, a bill for an act relating to the due date for the first installment of property taxes.

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

Senate File 278, by Corning, Waldstein and Schwengels, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming.

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

Senate File 279, by Mann, a bill for an act including advanced biology as an eligible course for a school district to receive moneys based upon enrollment.

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

Senate File 280, by Doyle, a bill for an act relating to the penalty for failure to pay tax due.

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

Senate File 281, by Priebe, a bill for an act relating to the creation of the Iowa export trading company.

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

Senate File 282, by Horn, a bill for an act relating to parental agreements regarding child custody, parental rights of continuing contact with a child, and child support.

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 44 present, 6 absent and a quorum present.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 7.

Senate Resolution 7

On motion of Senator Jensen, Senate Resolution 7, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Jensen offered amendment S—3142 filed by him from the floor to page 6 of the resolution and moved its adoption.

Amendment S—3142 was adopted by a voice vote.

Senator Jensen moved the adoption of Senate Resolution 7 as amended, which motion prevailed by a voice vote and the resolution as amended was adopted.

BUSINESS PENDING

Senate File 24

The Senate resumed consideration of Senate File 24 and amendments S—3043, S—3111 to S—3043 and S—3126 to S—3043, previously deferred.

Senator Priebe asked and received unanimous consent to take up amendment S—3125.

Senator Priebe offered amendment S—3125 filed by Senators Priebe, et al., on February 7, 1985, to amendment S—3043.

Senator Readinger asked unanimous consent that further action on Senate File 24 be deferred for the purpose of preparing a fiscal note on amendment S—3125.

Senator Readinger withdrew his request for unanimous consent.

Senator Priebe asked and received unanimous consent that further action on Senate File 24 and amendments S—3043, S—3111 to S—3043, S—3126 to S—3043 and S—3125 to S—3043 be deferred.

APPENDIX**SENATE STUDY BILLS****SSB 211 Education**

Relating to negotiations between school districts and certified employee organizations.

SSB 212 Energy & Environment

Imposing a tonnage fee and groundwater fee on solid waste deposited in sanitary landfills to provide for the long-term care of closed sanitary landfills and the administration of groundwater monitoring and quality programs, and subjecting violators to a penalty.

SSB 213 Human Resources

Providing for the licensure of athletic trainers by the board of medical examiners and providing a penalty.

SSB 214 Human Resources

Providing for the licensure and regulation of athletic trainers.

SSB 215 Judiciary

Relating to claims in estates for which there is insurance coverage.

SSB 216 Labor & Industrial Relations

To provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties.

SSB 217 Judiciary

Relating to the qualification of nonprofit corporations as guardians.

SSB 218 Judiciary

Relating to the offenses of assault and willful injury and providing penalties.

SSB 219 Judiciary

Amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with both minor and adult offenders, and modifying statutes relating to district court reports of criminal convictions.

SSB 220 Human Resources

Relating to the payment of property taxes.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	266	State Government
S. F.	268	Appropriations
H. F.	139	Judiciary

COMMITTEE REPORT**AGRICULTURE**

Final Bill Action: SENATE FILE 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Harold Moessner, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-3139	S. F.	252	Thomas A. Lind
S-3140	S. F.	60	Edgar H. Holden
S-3141	S. F.	229	Wally E. Horn
S-3142	S. R.	7	John W. Jensen

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Tuesday, February 19, 1985.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 19, 1985

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

Prayer was offered by the Reverend Kenneth Feeney of the Feeney Evangelistic Association, Cedar Rapids, Iowa.

The Journal of Monday, February 18, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 283, by Mann, a bill for an act related to the practice of funeral directing and funeral insurance and providing a penalty.

Read first time and passed on file.

Senate File 284, by Hutchins, a bill for an act relating to retirement benefits for certain public employees serving in hazardous duty occupations.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:08 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 18, 1985, 3:37 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins (arrived 3:41 p.m.), Palmer (arrived 3:49 p.m.), Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; Senate File 32 reported to the Senate calendar.

Adjourned: 4:00 p.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 18, 1985, 1:30 p.m.

Members Present: Small, Chair; Rife, Ranking Member; Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein.

Members Absent: Rodgers, Vice Chair (excused).

Committee Business: Joint meeting with the committee on Ways and Means.

Adjourned: 3:30 p.m.

WAYS AND MEANS

Convened: February 18, 1985, 1:30 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger and Soorholtz.

Members Absent: Rodgers (excused).

Committee Business: Joint meeting with the committee on Small Business and Economic Development.

Adjourned: 3:30 p.m.

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar
instead of Individual Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the appointment of James McCullagh, inadvertently placed the nominee on the Individual Confirmation Calendar on page 360 of the February 12, 1985, Senate Journal, instead of the En Bloc Confirmation Calendar.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 19th day of February, 1985.

Senate File 78.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 286, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kinley, Deluhery, Holden, Gronstal, Hutchins, Jensen, Priebe and Tieden. Nays, none. Absent or not voting, 2: Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 287, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kinley, Deluhery, Holden, Gronstal, Hutchins, Jensen, Priebe and Tieden. Nays, none. Absent or not voting, 2: Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 289 (SSB 93), a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Coleman, Dieleman, Drake, Gentlerman, Hester, Holt, Small and Taylor. Nays, none. Absent or not voting, 3: Carr, Deluhery and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATION

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

OFFICE FOR PLANNING AND PROGRAMMING

A copy of the 1984 Annual Report on Community Action Programs prepared by the Office for Planning and Programming pursuant to Sec. 7A.28, Code of Iowa.

AFTERNOON SESSION

The Senate reconvened at 4:39 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 18, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 29, a bill for an act relating to qualification of nonprofit corporations as guardians.

This bill was read first time and passed on file.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 15, by Priebe, a resolution relating to reimbursement of rural hospitals by Medicare.

Read first time and passed on file.

Senate Concurrent Resolution 16, by Committee on Transportation, a resolution calling upon the Congress of the United States to enact legislation allowing the states to increase the fifty-five mile per hour speed limit on fully controlled-access, divided, multilaned highways located within their borders including the interstate highway system.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 285, by Wells, a bill for an act establishing requirements for the use and operation of cabooses on railroad trains and providing a penalty.

Read first time and passed on file.

Senate File 286, by Committee on Commerce, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

Read first time and placed on calendar.

Senate File 287, by Committee on Commerce, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

Read first time and placed on calendar.

Senate File 288, by Schwengels, a bill for an act authorizing a property tax levy for ambulance service.

Read first time and passed on file.

Senate File 289, by Committee on Judiciary, a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

Read first time and placed on calendar.

Senate File 290, by Committee on Transportation, a bill for an act relating to the sale of antique motor vehicles.

Read first time and placed on calendar.

Senate File 291, by Committee on Energy and Environment, a bill for an act relating to the authority of the department of water, air and waste management over used oil.

Read first time and placed on calendar.

Senate File 292, by Gettings, a bill for an act relating to the benefits paid for a service retirement allowance under the peace officers' retirement system and the police and fire retirement systems.

Read first time and passed on file.

Senate File 293, by Miller of Des Moines, a bill for an act creating a fire service institute.

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

Senate File 294, by Miller of Des Moines, a bill for an act exempting the amount of social security benefits received from the state individual income tax and making it retroactive.

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

Senate File 295, by Miller of Des Moines, Readinger, Wells, Tieden and Carr, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles.

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

Senate File 296, by Deluhery, Holden, Jensen, Miller of Cerro Gordo and Wells, a bill for an act relating to the deposit and investment of public funds.

Read first time and referred to the committee on **Commerce**.

Senate File 297, by Committee on Transportation, a bill for an act to allow the operation of a motor scooter by a person who has a motor vehicle operator's license not valid for the operation of a motorcycle.

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

Senate File 298, by Horn, a bill for an act requiring the court to honor an antenuptial agreement when granting a dissolution of marriage.

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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 230.

Senate File 230

On motion of Senator Doyle, Senate File 230, a bill for an act relating to qualifications of sureties, 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. 230) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Schwengels
Soorboltz	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gratias	Rodgers	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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rodgers for the afternoon on request of Senator Hutchins; Senators Taylor and Grätias for the afternoon on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 231.

Senate File 231

On motion of Senator Doyle, Senate File 231, a bill for an act relating to the release of information concerning a missing child, 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. 231) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsemä	Schwengels
Small	Soorholtz	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 228.

Senate File 228

On motion of Senator Hall, Senate File 228, a bill for an act authorizing a city to impose additional conditions on property owners as a condition to zoning changes, was taken up for consideration.

Senator Hall offered amendment S—3136 filed by him on February 13, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3136 was adopted by a voice vote.

Senator Hall asked and received unanimous consent that House File 265 be substituted for Senate File 228 as amended.

House File 265

On motion of Senator Hall, House File 265, a bill for an act authorizing a city or a county to impose additional conditions on property owners as a condition to zoning changes, 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?" (H.F. 265) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Schwengels

Small
Waldstein

Soorholtz
Wells

Tieden
Welsh

Vande Hoef

Nays, none.

Absent or not voting, 3:

Gratias

Rodgers

Taylor

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

Senator Hall asked and received unanimous consent that **Senate File 228** be **withdrawn** from further consideration of the Senate.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 63.

Senate File 63

On motion of Senator Readinger, Senate File 63, a bill for an act relating to the approval of attorney fees by the department of job service, with report of committee recommending passage, was taken up for consideration.

Senator Kinley took the chair at 5:07 p.m.

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. 63) the vote was:

Ayes, 47:

Boswell
Coleman
Dieleman
Gettings
Hannon
Horn
Jensen
Mann
Neighbour
Readinger
Small
Waldstein

Brown
Colton
Doyle
Goodwin
Hester
Hultman
Junkins
Miller, A.V.
Nystrom
Rife
Soorholtz
Wells

Bruner
Corning
Drake
Gronstal
Holden
Husak
Kinley
Miller, C.P.
Palmer
Ritsema
Tieden
Welsh

Carr
Deluhery
Gentleman
Hall
Holt
Hutchins
Lind
Murphy
Priebe
Schwengels
Vande Hoef

Nays, none.

Absent or not voting, 3:

Gratias

Rodgers

Taylor

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

WITHDRAWN

Senator Bruner asked and received unanimous consent that **Senate File 26** be withdrawn from further consideration of the Senate

UNFINISHED BUSINESS (Deferred February 18, 1985)

Senate File 24

The Senate resumed consideration of Senate File 24, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive, and amendments S—3043, S—3111 to S—3043, S—3125 to S—3043, and S—3126 to S—3043, deferred on February 18, 1985.

Senator Priebe asked and received unanimous consent that further action on amendment S—3125 to S—3043 be deferred.

Senator Bruner asked and received unanimous consent that further action on amendment S—3126 to S—3043 be deferred.

Senator Bruner offered amendment S—3144 filed by Senators Bruner, et al., from the floor to amendment S—3043 and moved its adoption.

Amendment S—3144 was adopted by a voice vote.

With the adoption of amendment S—3144 to S—3043, the Chair ruled the following amendments to amendment S—3043 out of order:

S—3111 by Senators Bruner and Rife, offered and deferred on February 6, 1985.

S—3125 by Senators Priebe, et al., offered and deferred on February 18, 1985.

S—3126 by Senators Bruner, et al., offered and deferred on February 18, 1985.

Senator Bruner moved the adoption of amendment S—3043, as amended, which motion prevailed by a voice vote.

Senator Vande Hoef offered amendment S—3116 filed by Senators Vande Hoef, et al., on February 5, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 21.

Amendment S—3116 was adopted.

Senator Vande Hoef offered amendment S—3117 filed by him on February 5, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3117 was adopted by a voice vote.

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—3116 to Senate File 24 was adopted by the Senate on February 19, 1985.

A non record roll call was requested.

The ayes were 25, nays 19.

The motion prevailed and amendment S—3116 by Senators Vande Hoef, et al., to page 1 of the bill, was taken up for reconsideration.

Senator Vande Hoef moved the adoption of amendment S—3116 and requested a record roll call.

On the question "Shall amendment S—3116 be adopted?" (S.F. 24) the vote was:

Ayes, 20:

Coleman
Hester

Corning
Holden

Drake
Holt

Goodwin
Hultman

Jensen	Kinley	Lind	Miller, A.V.
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Tieden	Vande Hoef	Waldstein

Nays, 25:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Gentleman	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Mann	Miller, C.P.	Murphy
Palmer	Readinger	Small	Wells
Welsh			

Absent or not voting, 5:

Gratias	Neighbour	Nystrom	Rodgers
Taylor			

Amendment S—3116 lost.

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. 24) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Murphy	Priebe
Rife	Ritsema	Schwengels	Small
Soorholtz	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Miller, C.P.	Palmer	Readinger
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Absent or not voting, 5:

Gratias	Neighbour	Nystrom	Rodgers
Taylor			

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 299, by Committee on Judiciary, a bill for an act to create the crime of shoplifting, provide penalties and establish special provisions governing evidence in shoplifting cases.

Read first time and placed on calendar.

Senate File 300, by Waldstein, Brown and Gratiar, 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.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 24** be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate Files 247 and 248** be referred from the Regular Calendar to the committee on **Labor and Industrial Relations**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	15	Human Resources
S. R.	8	Rules & Administration
S. F.	270	Natural Resources
S. F.	272	Education
S. F.	273	Commerce
S. F.	274	Education
S. F.	275	State Government
S. F.	277	Ways and Means
S. F.	278	State Government
S. F.	279	Education
S. F.	280	Ways and Means
S. F.	281	Agriculture
S. F.	282	Judiciary
S. F.	283	State Government
S. F.	284	State Government
S. F.	285	Transportation
S. F.	288	Ways and Means

COMMITTEE REPORTS

ENERGY & ENVIRONMENT

Final Bill Action: SENATE FILE 291 (SSB 171), a bill for an act relating to the authority of the department of water, air and waste management over used oil.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Colton, Carr, Brown, A. Miller, Gronstal, Corning, Soorholtz and Hultman. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 85, a bill for an act relating to the application for and issuance of search warrants.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 299 (SSB 91), a bill for an act to create the crime of shoplifting, provide penalties and establish special provisions governing evidence in shoplifting cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Dieleman, Gentleman, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 3: Deluhery, Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 194, a bill for an act relating to reports of a mobile home park licensee to the county treasurer.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3145.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 14, a resolution relating to American POW's and MIA's.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 174, a bill for an act relating to passing a vehicle on the right.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 290, a bill for an act relating to the sale of antique motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 297 (SSB 131), a bill for an act to allow the operation of a motor scooter by a person who has a motor vehicle operator's license not valid for the operation of a motorcycle.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 16 (SSB 166), a resolution calling upon the Congress of the United States to enact legislation allowing the states to increase the fifty-five mile per hour speed limit on fully controlled-access, divided, multilaned highways located within their borders including the interstate highway system.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SENATE STUDY BILLS

SSB 221 Human Resources

Providing standards and regulating the delivery of home care services, establishing licensure procedures, and providing penalties for violations.

SSB 222 Judiciary

Relating to the violation of custodial order and providing penalties.

SSB 223 Judiciary

Providing for forms of certain acknowledgments of conveyances of real estate.

SSB 224 Local Government

Relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

SSB 225 Local Government

Relating to the destruction of noxious weeds and providing a penalty.

SSB 226 Human Resources

Relating to the licensing and regulation of mobile homes and mobile home parks.

SSB 227 Energy & Environment

Relating to public utilities, making civil penalties applicable and providing an appropriation.

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on State Government assigned to investigate the appointment of Patrick Cavanaugh as Director of the Iowa Beer and Liquor Control Department, completed its investigation on February 19, 1985, and recommends the appointment be confirmed.

LEGISLATIVE PHYSICIAN FOR THE DAY

Corinne Ganske, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-3143	S. F.	100	Charles Bruner Michael E. Gronstal
S-3144	S. F.	24	Charles Bruner Berl E. Priebe Michael E. Gronstal Larry Murphy David M. Readinger
S-3145	S. F.	194	Local Government

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Wednesday, February 20, 1985.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 20, 1985

The Senate met in regular session at 9:12 a.m., President Anderson presiding.

Prayer was offered by the Reverend Marvin Van Donselaar, pastor of the Christian Reform Church, Ocheyedan, Iowa.

The Journal of Tuesday, February 19, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Junkins for today and tomorrow on request of Senator Hutchins; Senators Hultman and Schwengels for today and tomorrow on request of Senator Holden; Senator Gratijs for the day on request of Senator Jensen.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:26 a.m., until 4:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION**

Convened: February 19, 1985, 9:40 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Presentations by Bill McNarney, Director of the Iowa Housing Finance Authority and Bill Greiner, Director of the Iowa Family Farm Development Authority; Gerald Bair, Director of the Department of Revenue appeared before the committee; budget recommendations on the Department of Revenue and Iowa Fair Board.

Adjourned: 11:54 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 19, 1985, 9:40 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Lind, Ranking Member; Nystrom and Small.

Members Absent: none.

Committee Business: United Students of Iowa gave an overview of the Board of Regents' budget requests.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 19, 1985, 9:40 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein (arrived 9:55 a.m.).

Members Absent: none.

Committee Business: Budget recommendations for Department of Corrections Institutions: Fort Madison, Anamosa, Oakdale, Newton, Mt. Pleasant, Rockwell City, Clarinda, Mitchellville and central office.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: February 19, 1985, 9:50 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Subcommittee approved and submitted LSB 1703 S. to the full Appropriations Committee.

Adjourned: 10:55 a.m.

COMMERCE

Convened: February 19, 1985, 8:06 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Priebe and Tieden.

Members Absent: Nystrom and Palmer.

Other Committee Business: Senate Files 286 and 287 reported to the Senate calendar; discussed Senate File 138; assigned bills to subcommittees.

Adjourned: 9:09 a.m.

EDUCATION

Convened: February 19, 1985, 1:35 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:16 p.m.

HUMAN RESOURCES

Convened: February 19, 1985, 8:09 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Hannon, Murphy, C. Miller, Readinger and Vande Hoef.

Members Absent: Gratias and Taylor (both excused) and Coleman.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:14 a.m.

JUDICIARY

Convened: February 19, 1985, 3:30 p.m.

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

Members Absent: Taylor (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 38, 91, 179, 204 and 217 as committee bills; SSBs 28 and 160 ordered redrafted as amended for final approval as committee bills; Senate File 85 reported to the Senate calendar.

Adjourned: 4:25 p.m.

LABOR & INDUSTRIAL RELATIONS

Convened: February 18, 1985, 3:35 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:55 p.m.

LOCAL GOVERNMENT

Convened: February 19, 1985, 3:31 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: Lind (excused).

Committee Business: Assigned bills to subcommittees; discussed and deferred SSB 200; Senate File 194 reported to the Senate calendar as amended; approved SSB 199 as a committee bill.

Adjourned: 3:55 p.m.

STATE GOVERNMENT

Convened: February 19, 1985, 2:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed SSB 205; recommended confirmation of Patrick Cavanaugh as Director of the Iowa Beer and Liquor Control Department; Senate Concurrent Resolution 14 reported to the Senate calendar.

Adjourned: 3:30 p.m.

TRANSPORTATION

Convened: February 19, 1985, 1:32 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 131 and ordered redrafted as a committee bill.

Adjourned: 1:55 p.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 156, a bill for an act relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, to change the method of administering the state scholarship program, and to make an appropriation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3146.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 216, a bill for an act prohibiting discrimination on the basis of family name or consanguinity by the state board of regents.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Brown, Horn, Gratias, Corning, Hannon, Murphy, Taylor, Wells and Lind. Nays, 1: Colton.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 87, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3147.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 306 (SSB 59), a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Wells, Carr, Hannon, Murphy, C. Miller, Gentleman, Vande Hoef and Taylor. Nays, none. Absent or not voting, 4: Bruner, Coleman, Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 17, a resolution relating to the preservation of environmental and agricultural land resources.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Hall, Priebe, Doyle, Goodwin, Hester, Husak, Neighbour and Tieden. Nays, none. Absent or not voting, 2: Gratias and Schwengels (both excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:40 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 18, 1985, passed the following bills in which the concurrence of the House was asked:

Senate File 15, a bill for an act relating to the designation of the Grand river.

Senate File 128, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 17, by Committee on Natural Resources, a resolution relating to the preservation of environmental and agricultural land resources.

Read first time and placed on calendar.

Senate Concurrent Resolution 18, by Bruner, a resolution regarding the eligibility of certain farm families for food stamp assistance.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 301, by Mann, a bill for an act relating to the employment of an equal employment opportunity officer by certain local governments.

Read first time and passed on file.

Senate File 302, by Mann, a bill for an act to provide that, upon the payment of contributions, a period of service in the armed

forces of the United States will count as service under the Iowa public employees' retirement system.

Read first time and passed on file.

Senate File 303, by Committee on Energy and Environment, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

Read first time and placed on calendar.

Senate File 304, by Junkins, a bill for an act relating to regulating dangerous animals.

Read first time and passed on file.

Senate File 305, by Schwengels, a bill for an act to require that the state comptroller pay interest to school districts for late state foundation aid payments.

Read first time and passed on file.

Senate File 306, by Committee on Human Resources, a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

Read first time and placed on calendar.

Senate File 307, by Hutchins, a bill for an act relating to the operation of fire vehicles and providing an effective date.

Read first time and passed on file.

Senate File 308, by Rodgers, a bill for an act relating to the appointment of assessors.

Read first time and passed on file.

Senate File 309, by Rodgers, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties.

Read first time and passed on file.

Senate File 310, by Rodgers, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

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

Senate File 311, by Committee on Education, a bill for an act relating to the private instruction received by certain children between the ages of seven and sixteen.

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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Priebe for the afternoon on request of Senator Hutchins; Senator Soorholtz for the afternoon on request of Senator Jensen.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 241.

Senate File 241

On motion of Senator Colton, Senate File 241, a bill for an act relating to membership on the interagency coordinating council on radiation safety, 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. 241) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Readinger	Rife
Rodgers	Small	Taylor	Vande Hoef
Wells	Welsh		

Nays, 4:

Holden	Jensen	Ritsema	Waldstein
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Absent or not voting, 8:

Coleman	Hultman	Junkins	Nystrom
Priebe	Schwengels	Soorholtz	Tieden

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 9.

Senate Concurrent Resolution 9

On motion of Senator Mann, Senate Concurrent Resolution 9, a resolution relating to amendments by suspension of germaneness, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved the adoption of Senate Concurrent Resolution 9, which motion prevailed by a voice vote and the resolution was adopted.

COMMITTEE REPORT

COMMERCE

Final Bill Action: SENATE FILE 240, a bill for an act permitting a state bank to retain ownership of real property for up to five years if the real property is acquired by foreclosure or certain other debt collection procedures.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3149.

Final Vote: Ayes, 9: Kinley, Deluhery, Holden, Gronstal, Hutchins, Jensen, Nystrom, Palmer and Tieden. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 267.

Senate File 267

On motion of Senator Ritsema, Senate File 267, a bill for an act relating to arson by providing an inference of fraudulent intent, 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. 267) the vote was:

Ayes, 26:

Brown	Bruner	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Hall	Hannon	Holt	Horn
Hutchins	Jensen	Kinley	Murphy
Neighbour	Palmer	Readinger	Rife
Ritsema	Small	Taylor	Tieden
Vande Hoef	Wells		

Nays, 18:

Boswell	Carr	Coleman	Colton
Corning	Gentleman	Gratias	Gronstal
Hester	Holden	Husak	Lind
Mann	Miller, A.V.	Miller, C.P.	Rodgers
Waldstein	Welsh		

Absent or not voting, 6:

Hultman	Junkins	Nystrom	Priebe
Schwengels	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 House File 38.

House File 38

On motion of Senator Gratias, House File 38, a bill for an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property, 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. 38) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Readinger	Rife	Ritsema
Rodgers	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hultman	Junkins	Nystrom	Priebe
Schwengels	Soorholtz		

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 Hutchins asked and received unanimous consent that **Senate File 240** be referred from the Regular Calendar to the committee on Agriculture.

MOTION TO RECONSIDER WITHDRAWN**Senate File 70**

Senator Coleman withdrew the motion to reconsider **Senate File 70**, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty, filed by him on February 11, 1985, and found on page 345 of the Senate Journal.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	292	State Government
S. F.	293	State Government
S. F.	294	Ways and Means
S. F.	295	State Government
S. F.	298	Judiciary
S. F.	300	Education
H.F.	41	Commerce
H.F.	66	Natural Resources
H.F.	225	Ways and Means

SENATE STUDY BILLS

SSB 196A Education (2nd draft of SSB 196)

Relating to the appropriation of moneys for students enrolled in certain high school courses and the uses for which those moneys may be expended.

SSB 228 Ways and Means

Relating to the providing of certain tax incentives to an industry which creates new jobs within the states.

SSB 229 Judiciary

Relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies.

SSB 230 Judiciary

Relating to the share of the surviving spouse in intestate succession.

SSB 231 Education

Relating to the employment of a principal by a school district.

COMMUNICATION

February 14, 1985

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 House.

These include 3 claims of a general nature. This supplements our filing of January 2, 1985.

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

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims Subcommittee of the Appropriations Committee.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 296, a bill for an act relating to the deposit and investment of public funds.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3148.

Final Vote: Ayes, 9: Kinley, Deluhery, Holden, Gronstal, Hutchins, Jensen, Nystrom, Palmer and Tieden. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 274, a bill for an act relating to the size of basketball used by certain students in grades kindergarten through twelve.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Horn, Colton, Gratias, Corning, Hannon, Murphy, Lind, Taylor and Wella. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 311 (SSB 94), a bill for an act relating to the private instruction received by certain children between the ages of seven and sixteen.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Brown, Gratias, Lind, Murphy, Taylor and Wells. Nays, 4: Horn, Colton, Corning and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Opoien, M.D., Des Moines, Iowa.

PRESENTATION OF VISITOR

President Anderson welcomed the Honorable William Gluba, former member of the Senate from Scott County, who was present in the Senate chamber.

AMENDMENTS FILED

S-3146	S. F.	156	Education
S-3147	H.F.	87	Education
S-3148	S. F.	296	Commerce
S-3149	S. F.	240	Commerce
S-3150	S. F.	299	Douglas Ritsema

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:33 p.m., until 9:00 a.m., Thursday, February 21, 1985.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 21, 1985

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

Prayer was offered by the Reverend Gary Dobbins, pastor of the Sigourney United Methodist Church, Sigourney, Iowa.

The Journal of Wednesday, February 20, 1985, was approved.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:10 a.m., until 4:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 4

STATE GOVERNMENT: Coleman, Chair; Nystrom and Dieleman

Senate File 82

AGRICULTURE: Priebe, Chair; A. Miller and Soorholtz

Senate File 134

WAYS AND MEANS: Bruner, Chair; Mann and Gratias

Senate File 135

WAYS AND MEANS: Bruner, Chair; Boswell and Readinger

Senate File 136

WAYS AND MEANS: Bruner, Chair; Boswell and Readinger

Senate File 151

WAYS AND MEANS: Holden, Chair; Bruner and Gronstal

Senate File 153

WAYS AND MEANS: Brown, Chair; Dieleman and Readinger

Senate File 155

WAYS AND MEANS: Readinger, Chair; Boswell and Brown

Senate File 169

WAYS AND MEANS: Gratias, Chair; Mann and Boswell

Senate File 176

WAYS AND MEANS: Soorholtz, Chair; Holden and Rodgers

Senate File 178

WAYS AND MEANS: Holt, Chair; Hester and Rodgers

Senate File 185

WAYS AND MEANS: Dieleman, Chair; Soorholtz, Hester and Rodgers

Senate File 187

WAYS AND MEANS: Rodgers, Chair; Husak and Hester

Senate File 202

WAYS AND MEANS: Palmer, Chair; Holden and Holt

Senate File 204

WAYS AND MEANS: Mann, Chair; Gronstal and Holt

Senate File 212

WAYS AND MEANS: Holden, Chair; Rodgers and Bruner

Senate File 223

TRANSPORTATION: Drake, Chair; Gettings and Doyle

Senate File 227

TRANSPORTATION: Hall, Chair; Jensen and A. Miller

Senate File 232

TRANSPORTATION: Hall, Chair; Jensen and A. Miller

Senate File 240

COMMERCE: Priebe, Chair; Palmer and Jensen

Senate File 244

JUDICIARY: Gentleman, Chair; Mann and Horn

Senate File 245

JUDICIARY: Deluhery, Chair; Ritsema and Horn

Senate File 246

LABOR & INDUSTRIAL RELATIONS: Holden, Chair; Deluhery and Wells

Senate File 251

JUDICIARY: Carr, Chair; Drake and Horn

Senate File 252

TRANSPORTATION: A. Miller, Chair; Jensen and Hall

Senate File 253

AGRICULTURE: Hutchins, Chair; Palmer and Hester

Senate File 256

COMMERCE: Nystrom, Chair; Gronstal and Tieden

Senate File 260

HUMAN RESOURCES: Hannon, Chair; Coleman and Gratias

Senate File 261

LOCAL GOVERNMENT: Neighbour, Chair; Waldstein and Hall

Senate File 263

JUDICIARY: Carr, Chair; Ritsema and Mann

Senate File 264

AGRICULTURE: Waldstein, Chair; Palmer and A. Miller

Senate File 265

LABOR & INDUSTRIAL RELATIONS: Gettings, Chair; Wells and Jensen

Senate File 266

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

Senate File 272

EDUCATION: Gratias, Chair; Murphy and Hannon

Senate File 273

COMMERCE: Palmer, Chair; Priebe and Holden

Senate File 274

EDUCATION: Horn, Chair; Colton and Corning

Senate File 278

STATE GOVERNMENT: Horn, Chair; Schwengels and Welsh

Senate File 279

EDUCATION: Brown, Chair; Hannon and Gratias

Senate File 281

AGRICULTURE: Hutchins, Chair; Priebe and Soorholtz

Senate File 282

JUDICIARY: Horn, Chair; Holt and Mann

Senate File 283

STATE GOVERNMENT: Welsh, Chair; Mann and Drake

Senate File 284**STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom****Senate File 296****COMMERCE: Holden, Chair; Deluhery and Jensen****House File 139****JUDICIARY: Deluhery, Chair; Drake and Hester****House File 205****APPROPRIATIONS: Tieden, Chair; Gettings and Husak****SSB 144****LOCAL GOVERNMENT: C. Miller, Chair; Wells and Vande Hoef****SSB 177****HUMAN RESOURCES: Murphy, Chair; Bruner and Gentleman****SSB 181****ENERGY & ENVIRONMENT: Colton, Chair; Corning, Bruner, Hultman and A. Miller****SSB 182****WAYS AND MEANS: Holden, Chair; Dieleman and Brown****SSB 183****WAYS AND MEANS: Gratias, Chair, Brown and Boswell****SSB 184****WAYS AND MEANS: Boswell, Chair; Mann and Hester****SSB 185****WAYS AND MEANS: Bruner, Chair; Gronstal and Hester****SSB 186****WAYS AND MEANS: Readinger, Chair; Gratias and Bruner**

SSB 187

WAYS AND MEANS: Rodgers, Chair; Bruner and Holden

SSB 188

WAYS AND MEANS: Husak, Chair; Boswell and Holt

SSB 189

WAYS AND MEANS: Hester, Chair; Brown and Mann

SSB 190

WAYS AND MEANS: Rodgers, Chair; Palmer and Boswell

SSB 191

WAYS AND MEANS: Bruner, Chair; Dieleman and Readinger

SSB 192

WAYS AND MEANS: Palmer, Chair; Gronstal and Holt

SSB 198

LOCAL GOVERNMENT: A. Miller, Chair; Wells and Lind

SSB 199

LOCAL GOVERNMENT: Goodwin, Chair; Waldstein and Neighbour

SSB 200

LOCAL GOVERNMENT: Neighbour, Chair; C. Miller and Goodwin

SSB 202

JUDICIARY: Carr, Chair; Doyle and Ritsema

SSB 203

JUDICIARY: Carr, Chair; Ritsema and Doyle

SSB 204

JUDICIARY: Doyle, Chair; Mann and Ritsema

SSB 207**JUDICIARY: Doyle, Chair; Horn and Gentleman****SSB 208****JUDICIARY: Gentleman, Chair; Doyle and Dieleman****SSB 209****JUDICIARY: Mann, Chair; Holt and Small****SSB 210****JUDICIARY: Mann, Chair; Coleman and Hester****SSB 211****EDUCATION: Brown, Chair; Colton, Gratias, Corning and Wells****SSB 213****HUMAN RESOURCES: Wells, Chair; Bruner and Vande Hoef****SSB 214****HUMAN RESOURCES: Wells, Chair; Bruner and Vande Hoef****SSB 215****JUDICIARY: Ritsema, Chair; Small and Coleman****SSB 216****LABOR & INDUSTRIAL RELATIONS: Colton, Chair; Mann and Jensen****SSB 217****JUDICIARY: Small, Chair; Dieleman and Ritsema****SSB 218****JUDICIARY: Ritsema, Chair; Coleman and Mann****SSB 219****JUDICIARY: Carr, Chair; Ritsema and Horn**

SSB 220

HUMAN RESOURCES: Taylor, Chair; Wells and Hannon

SSB 221

HUMAN RESOURCES: Taylor, Chair; Coleman and Hannon

SSB 222

JUDICIARY: Ritsema, Chair; Gentleman and Coleman

SSB 223

JUDICIARY: Holt, Chair; Ritsema and Coleman

SSB 224

LOCAL GOVERNMENT: A. Miller, Chair; Wells and Waldstein

SSB 225

LOCAL GOVERNMENT: Neighbour, Chair; C. Miller and Goodwin

SSB 226

HUMAN RESOURCES: Wells, Chair; Hannon and Gratias

SSB 229

JUDICIARY: Small, Chair; Ritsema and Coleman

SSB 230

JUDICIARY: Mann, Chair; Gentleman and Horn

SSB 231

EDUCATION: Colton, Chair; Corning and Wells

LSB 2457S

TRANSPORTATION: Drake, Chair; Kinley and Coleman

AFTERNOON SESSION

The Senate reconvened at 4:30 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 19, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 160, a bill for an act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service.

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

INTRODUCTION OF BILLS

Senate File 312, by Ritsema, a bill for an act relating to licensing requirements by repealing the requirements for barbers and cosmetologists and making barbering and cosmetology schools subject to certain other requirements and penalties.

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

Senate File 313, by Drake and Priebe, a bill for an act allowing certain truck tractors to be registered as special trucks.

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

Senate File 314, by Rodgers, Drake and Miller of Des Moines, a bill for an act to repeal the rebuttable presumption of negligence on the part of persons operating electrical transmission lines for injuries to person or property.

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

Senate File 315, by Committee on Judiciary, a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed.

Read first time and placed on calendar.

Senate File 316, by Committee on Judiciary, a bill for an act relating to the qualification of nonprofit corporations as guardians.

Read first time and placed on calendar.

Senate File 317, by Committee on Local Government, a bill for an act relating to the qualifying for office.

Read first time and placed on calendar.

Senate File 318, by Committee on Judiciary, a bill for an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

Read first time and placed on calendar.

Senate File 319, by Holt, a bill for an act relating to the establishment of the vocational education council and providing an effective date.

Read first time and passed on file.

Senate File 320, by Husak, a bill for an act relating to fees for boiler inspections.

Read first time and passed on file.

Senate File 321, by Committee on Judiciary, a bill for an act relating to the designation of persons to accept bond money and securities.

Read first time and placed on calendar.

Senate File 322, by Bruner, a bill for an act to provide occupational safeguards for public employees operating video display terminals.

Read first time and passed on file.

Senate File 323, by Dieleman, a bill for an act to establish a program for the coordination of media services at the capitol complex in the department of general services.

Read first time and passed on file.

Senate File 324, by Dieleman, a bill for an act relating to the use of motor vehicle parking facilities at the state capitol complex.

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

Senate File 325, by Colton, a bill for an act providing for rules relating to strength, agility, and general health of applicants for the position of fire fighter.

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

Senate File 326, by Waldstein, a bill for an act relating to the selection of official newspapers.

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

Senate File 327, by Waldstein, a bill for an act relating to the adoption of graduation requirements by school districts.

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

Senate File 328, by Committee on State Government, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa.

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

Senate File 329, by Committee on Judiciary, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization.

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

Senate File 330, by Committee on Judiciary, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that Senate File 156 be referred from the Regular Calendar to the committee on Appropriations.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION**

Convened: February 20, 1985, 9:50 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Budget recommendations for the Office for Planning and Programming, Commerce Commission and Consumer Advocate.

Adjourned: 10:57 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN RIGHTS

Convened: February 20, 1985, 9:50 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member, A. Miller and Rife.

Members Absent: none.

Committee Business: Leadership presented recommended budget cuts for departments.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 20, 1985, 9:55 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Jim Henessey, DHS, reported on findings of Child Protection Study Committee; Roger Herr, DHS, spoke on the final report of the DHS/JTPA (Job Training Partnership Act) Coordination Work Group; Nancy Shimanek,

Justice Department, reported on the recommendations of the task force studying Juvenile Justice County Base; Ron Steele, DHS, spoke on the department's response to the juvenile recommendations in the 1985 plan of the Criminal & Juvenile Justice Planning Commission.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 20, 1985, 9:50 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Budget recommendations on the Department of Corrections, Iowa Correctional Training Academy, Federal Prisoners, Inmate Legal Services, Community Based Corrections and Criminal Juvenile Planning Agency.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: February 20, 1985, 3:35 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer (arrived 3:40 p.m.), Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported Senate File 264 to the Senate calendar.

Adjourned: 3:43 p.m.

COMMERCE

Convened: February 20, 1985, 2:05 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen (arrived 2:11 p.m.), Nystrom, Palmer and Tieden.

Members Absent: Priebe (excused).

Committee Business: Assigned bills to subcommittees; reported Senate Files 240 and 296 to the Senate calendar; discussed Senate File 157.

Adjourned: 2:35 p.m.

EDUCATION

Convened: February 20, 1985, 8:34 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Murphy, Lind, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:26 p.m.

ENERGY & ENVIRONMENT

Convened: February 20, 1985, 8:50 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, A. Miller, Gronstal, Corning and Rife.

Members Absent: Carr, Soorholtz and Hultman (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:55 a.m.

HUMAN RESOURCES

Convened: February 20, 1985, 1:37 p.m.

Members Present: Wells, Chair; Gentleman, Ranking Member; Carr, Hannon, Vande Hoef, C. Miller, Murphy and Taylor.

Members Absent: Bruner, Vice Chair and Gratias (both excused) and Readinger and Coleman.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:51 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 20, 1985, 4:33 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Rife, Wells and Welsh.

Members Absent: Hultman (excused).

Committee Business: Reported Senate Files 247 and 248 to the Senate calendar; reassigned a bill to subcommittee.

Adjourned: 4:37 p.m.

NATURAL RESOURCES

Convened: February 20, 1985, 8:09 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Husak, Neighbour, Hannon, Doyle, Goodwin, Tieden and Hester.

Members Absent: Schwengels, Ranking Member; Gratias and Rodgers (all excused).

Committee Business: Approved Concurrent Resolution LSB 6010 S, and discussed and deferred House File 183.

Adjourned: 8:45 a.m.

STATE GOVERNMENT

Convened: February 20, 1985, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh.

Members Absent: Schwengels (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 45, 159 and 205 and ordered redrafted as committee bills.

Adjourned: 3:30 p.m.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 200, a bill for an act relating to the office of the appellate defender.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Gentleman, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 3: Drake, Dieleman and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 315 (SSB 204), a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 316 (SSB 217), a bill for an act relating to the qualification of nonprofit corporations as guardians.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Gentleman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 318 (SSB 179), a bill for an act relating to the authority of the Court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 321 (SSB 38), a bill for an act relating to the designation of persons to accept bond money and securities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn and Small. Nays, none. Absent or not voting 2: Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 329 (SSB 160), a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Gentleman, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 3: Dieleman, Drake and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 330 (SSB 28), a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Gentleman, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 3: Dieleman, Drake and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR & INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 247, a bill for an act relating to the authority, procedures and standards for the issuance of search warrants to the bureau of labor. (Reported to Senate calendar on February 20, 1985).

Recommendation: DO PASS.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Rife, Wells and Welsh. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 248, a bill for an act relating to the denial of liability by an employer with notice of the occurrence of an injury and claim for workers' compensation benefits. (Reported to the Senate calendar on February 20, 1985).

Recommendation: DO PASS.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Rife, Wells and Welsh. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 317 (SSB 199), a bill for an act relating to qualifying for office.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 328 (SSB 45), a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Horn, Mann, C. Miller and Rife. Nays, 1: Gentleman. Absent or not voting, 3: Nystrom, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SENATE STUDY BILL

SSB 232 Judiciary

Relating to the harboring of a runaway child and providing a penalty.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ashwin Joshi, M.D., Des Moines, Iowa.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:36 p.m., until 10:00 a.m., Monday, February 25, 1985.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 25, 1985

The Senate met in regular session at 10:02 a.m., Senator Hannon presiding.

Prayer was offered by the Honorable William W. Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Thursday, February 21, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the morning session and Senators Waldstein and Jensen for the day on request of Senator Hultman; Senators Hutchins, Husak, Priebe, Carr and Murphy for the day on request of Senator Junkins.

INTRODUCTION OF BILLS

Senate File 331, by Committee on Education, a bill for an act relating to the appropriation of moneys for students enrolled in certain high school courses and the uses for which those moneys may be expended.

Read first time and placed on calendar.

Senate File 332, by Committee on Ways and Means, a bill for an act relating to the providing of certain tax incentives to an industry which creates new jobs within the state.

Read first time and placed on Ways and Means Calendar.

Senate File 333, by Lind, a bill for an act prohibiting the sale of blood and blood products by correctional inmates and offenders under the supervision of a community-based correctional program.

Read first time and passed on file.

Senate File 334, by Mann, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs.

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 February 22, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 377, a bill for an act relating to improving the state economy for the general welfare of its citizens by creating an Iowa economic protective authority, allowing cities and counties to impose by referendum a local option income surtax, vehicle tax and sales and services tax, increasing the tax on cigarettes and little cigars, imposing an inventory tax on cigarettes, little cigars, unused tax stamps and metered imprints, increasing the state sales, services and use tax, exempting from the state sales, services and use tax the gross receipts from the sale or rental of industrial machinery equipment and computers and of farm machinery and equipment, including spare parts, making an appropriation and providing an effective date.

This bill was read first time and passed on file.

The Senate stood at ease for the purpose of a party caucus until the fall of the gavel.

The Senate resumed session, Senator Welsh presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:12 p.m., until 3:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	18	Human Resources
S. F.	301	Local Government
S. F.	302	State Government
S. F.	304	Natural Resources
S. F.	305	Education
S. F.	307	Transportation
S. F.	308	State Government
S. F.	309	Judiciary
S. F.	310	Local Government
S. F.	312	State Government
S. F.	313	Transportation
S. F.	314	Judiciary
S. F.	319	Education
S. F.	320	Labor
S. F.	322	State Government
S. F.	323	State Government
S. F.	324	State Government
S. F.	325	Local Government
S. F.	326	Local Government
S. F.	327	Education
H. F.	160	Human Resources

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 22, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 78—Requiring the State Board of Public Instruction to adopt a five-year plan regarding education.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: February 21, 1985, 9:45 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Budget recommendations for IPERS and DOT budgets.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 21, 1985, 9:45 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Budget recommendations for Department of Justice, State Medical Examiner and Board of Parole; deferred action on Iowa Law Enforcement Academy Council.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 21, 1985, 9:54 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair and Corning.

Members Absent: Schwengels, Ranking Member and Mann (both excused).

Committee Business: Discussion of the proposed budget cuts.

Adjourned: 10:45 a.m.

JUDICIARY

Convened: February 21, 1985, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Gentlemen, Hester, Holt, Horn, Small and Taylor.

Members Absent: Dieleman, Drake and Hester.

Committee Business: Assigned bills to subcommittees; reported Senate File 200 to Senate calendar; approved SSBs 28 and 160 as committee bills.

Adjourned: 4:10 p.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: February 21, 1985, 8:03 a.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned H.F. 70 to a subcommittee; guest speakers appeared before the committee.

Adjourned: 3:29 a.m.

WAYS AND MEANS

Convened: February 21, 1985, 1:30 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Boswell, Bruner, Gratiias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz.

Members Absent: Hester, Ranking Member (excused); Brown and Dieleman.

Committee Business: Assigned bills to subcommittees; approved SSB 228 as a committee bill.

Adjourned: 2:05 p.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 331 (SSB 196A), a bill for an act relating to the appropriation of moneys for students enrolled in certain high school courses and the uses for which those moneys may be expended.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 336 (SSB 205), a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with both minor and adult offenders, and modifying statutes relating to allowances paid to inmates for work, absconding from work release, length of work release, temporary confinement of work release violators, departmental employees as chauffeurs, and district court reports of criminal convictions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller and Rife. Nays, none. Absent or not voting, 3: Nystrom, Schwengels, and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 337 (SSB 159), a bill for an act relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Horn, Mann, C. Miller and Rife. Nays, none. Absent or not voting 3: Nystrom, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 332 (SSB 228), a bill for an act relating to the providing of certain tax incentives to an industry which creates new jobs within the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Boswell, Bruner, Grattias, Gronstal, Mann, Readinger, Rodgers and Soorholtz. Nays, 2: Holden and Holt. Absent or not voting, 3: Hester, Brown and Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file by:

Senator Junkins from forty-five residents of Iowa opposing legislation providing for mandatory motorcycle helmet use.

PRESENTATION OF VISITORS

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

Twenty-five students, members of the Humboldt and Pocahontas Counties 4-H program, accompanied by Jerry Vincent. Senators Priebe and Waldstein.

AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., President pro tempore Rodgers presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 19, by Gettings, Neighbour, Gronstal, Miller of Des Moines, Dieleman, Horn, Rodgers, Colton, Wells, Hutchins, Boswell, Kinley, Junkins and Hultman, a resolution relating to the National Railroad Passenger Corporation.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 335, by Horn, a bill for an act relating to modifications of custody orders involving children who are twelve years of age or older.

Read first time and passed on file.

Senate File 336, by Committee on State Government, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with both minor and adult offenders, and modifying statutes relating to allowances paid to inmates for work, absconding from work release, length of work release, temporary confinement of work release violators, departmental employees as chauffeurs, and district court reports of criminal convictions.

Read first time and placed on calendar.

Senate File 337, by Committee on State Government, a bill for an act relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

Read first time and placed on calendar.

Senate File 338, by Miller of Des Moines, a bill for an act to increase the service retirement allowance for certain members of the peace officers' retirement system and the fire and police retirement systems.

Read first time and passed on file.

Senate File 339, by Wells, a bill for an act relating to the definition of earnable compensation under the peace officers' retirement system and the local police and fire retirement systems.

Read first time and passed on file.

Senate File 340, by Mann, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings, mandatory minimum sentences of juveniles waived to adult court, waivers of the right to remain silent, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, and the receipt of social investigation reports, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases.

Read first time and passed on file.

Senate File 341, by Readinger, a bill for an act dealing with penalties related to the convictions of Iowa drivers in other states.

Read first time and passed on file.

Senate File 342, by Boswell, Corning, Hannon, Murphy, Neighbour and Gronstal, a bill for an act relating to bees by making certain acts unlawful, and providing penalties.

Read first time and passed on file.

Senate File 343, by Mann, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability.

Read first time and passed on file.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Junkins for a portion of the afternoon on request of Senator Brown.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Brown asked and received unanimous consent to take up out of order Senate File 27.

Senate File 27

On motion of Senator Bruner, Senate File 27, a bill for an act relating to the investment policies for funds available to certain state agencies, 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. 27) the vote was:

Ayes, 35:

- | | | | |
|--------------|-----------|----------|--------------|
| Boswell | Brown | Bruner | Colton |
| Corning | Deluhery | Dieleman | Doyle |
| Drake | Gentleman | Gettings | Goodwin |
| Gratias | Gronstal | Hall | Hannon |
| Horn | Hultman | Kinley | Miller, A.V. |
| Miller, C.P. | Neighbour | Nystrom | Palmer |
| Readinger | Rife | Ritsema | Rodgers |
| Small | Soorholtz | Taylor | Tieden |
| Vande Hoef | Wells | Welsh | |

Nays, 5:

Coleman	Hester	Holden	Holt
Lind			

Absent or not voting, 10:

Carr	Husak	Hutchins	Jensen
Junkins	Mann	Murphy	Priebe
Schwengels	Waldstein		

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

Senator Brown asked and received unanimous consent to take up out of order Senate File 259.

Senate File 259

On motion of Senator Brown, Senate File 259, a bill for an act to change the names of the education agency, governing board, and chief administrative officer to department of education, state board of education, and commissioner of education and to change the method of appointing the chief administrative officer, was taken up for consideration.

Senator Welsh took the chair at 3:55 p.m.

Senator Hultman raised the point of order that Senate File 259 should be referred to the committee on State Government under Senate Rule 38.

Senator Hultman withdrew his point of order.

Senator Hultman asked and received unanimous consent that action on Senate File 259 be deferred.

Senator Brown asked and received unanimous consent to take up out of order Senate File 271.

Senate File 271

On motion of Senator Colton, Senate File 271, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty, 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. 271) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Kinley	Lind
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Palmer	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Carr	Husak	Hutchins	Jensen
Junkins	Mann	Murphy	Priebe
Schwengels	Waldstein		

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 Coleman for the remainder of the afternoon on request of Senator Brown.

UNFINISHED BUSINESS (Deferred February 18, 1985)

Senate File 229

The Senate resumed consideration of Senate File 229, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties, deferred on February 18, 1985.

Senator Horn offered amendment S-3141 filed by him on February 18, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3141 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?" (S.F. 229) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Kinley	Lind	Miller, A.V.	Miller, C.P.
Neighbour	Nystrom	Palmer	Readinger
Rife	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, 2:

Gentleman	Ritsema
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Absent or not voting, 11:

Carr	Coleman	Husak	Hutchins
Jensen	Junkins	Mann	Murphy
Priebe	Schwengels	Waldstein	

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 Brown asked and received unanimous consent to take up out of order Senate File 254.

Senate File 254

On motion of Senator Colton, Senate File 254, a bill for an act relating to the administrative endorsements and certificates issued by the board of educational examiners, 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. 254) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Kinley	Lind	Miller, A.V.	Miller, C.P.
Neighbour	Nystrom	Palmer	Readinger
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 1:

Rife

Absent or not voting, 11:

Carr	Coleman	Holt	Husak
Hutchins	Jensen	Junkins	Mann
Murphy	Priebe	Waldstein	

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

Senator Brown asked and received unanimous consent to take up out of order Senate File 257.

Senate File 257

On motion of Senator Colton, Senate File 257, a bill for an act to discontinue the issuance of the permanent professional certificate for teachers and providing an effective date, 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. 257) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Kinley	Lind	Miller, A.V.
Miller, C.P.	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Nays, none.

Absent or not voting, 11:

Carr	Coleman	Husak	Hutchins
Jensen	Junkins	Mann	Murphy
Priebe	Waldstein	Wells	

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

APPENDIX

SENATE STUDY BILLS

SSB 233 Education

Relating to the state foundation base for the school year beginning July 1, 1985.

SSB 234 State Government

Permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

SSB 235 Judiciary

To define computer for the personal property tax credit purposes.

SSB 236 Judiciary

Providing for the adjudication of a truant or runaway as a child in need of assistance under the juvenile justice code.

SSB 237 Education

Relating to the enrollment of certain pupils in contiguous school districts upon the request of the parent or guardian and providing that the Act takes effect for the school year commencing July 1, 1985.

SSB 238 Natural Resources

Relating to fencing law for railroad rights of way owned by a state agency or political subdivision of the state and used for public recreation or conservation.

SSB 239 Judiciary

Relating to membership in the Iowa public employees' retirement system for judicial hospitalization referees.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Tracey Bailey, D.O., Des Moines, Iowa.

AMENDMENTS FILED

S—3151	S. F.	269	William W. Dieleman
S—3152	S. F.	200	Tom Mann, Jr.
S—3153	S. F.	269	Julia B. Gentleman
S—3154	S. F.	318	Tom Mann, Jr.
S—3155	S. F.	319	Lee W. Holt

ADJOURNMENT

On motion of Senator Brown, the Senate adjourned at 4:19 p.m., until 9:00 a.m., Tuesday, February 26, 1985.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
 TWENTY-SEVENTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Tuesday, February 26, 1985

The Senate met in regular session at 9:05 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Siebert Kramer, pastor of the Calvary Christian Reform Church, Pella, Iowa.

The Journal of Monday, February 25, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hutchins, Priebe and Husak for the day on request of Senator Junkins; Senators Jensen and Waldstein 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 February 21, 1985, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 12, a resolution recognizing the National Crisis Action Rally.

This resolution was read first time and passed on file.

ALSO: That the House has on February 21, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 311, a bill for an act to provide that demolition contracts are public improvements.

This bill was read first time and passed on file.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 14.

Senate Concurrent Resolution 14

On motion of Senator Schwengels, Senate Concurrent Resolution 14, a resolution relating to American POW's and MIA's, with report of committee recommending passage, was taken up for consideration.

Senator Schwengels moved the adoption of Senate Concurrent Resolution 14, which motion prevailed by a voice vote and the resolution was adopted.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:15 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C.R.	19	Transportation
S.F.	333	Judiciary
S.F.	334	Judiciary
S.F.	335	Judiciary
S.F.	338	State Government
S.F.	339	State Government
S.F.	340	Judiciary.
S.F.	341	Transportation
S.F.	342	Agriculture
S.F.	343	Judiciary
H.F.	377	Ways and Means

REPORT OF COMMITTEE MEETING

LABOR AND INDUSTRIAL RELATIONS

Convened: February 25, 1985, 2:40 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: Jensen, Ranking Member (excused).

Committee Business: Assigned a bill to subcommittee and approved SSB 147 as a committee bill.

Adjourned: 3:00 p.m.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 157, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3157.

Final Vote: Ayes, 6: Kinley, Deluhery, Holden, Gronstal, Nystrom and Tieden. Nays, none. Absent or not voting, 4: Hutchins, Jensen, Palmer and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 183, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Doyle, Gettings, Goodwin, Kinley, A. Miller and Nystrom. Nays, none. Absent or not voting, 2: Drake and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., Senator Brown presiding.

INTRODUCTION OF BILLS

Senate File 344, by Rife, Husak, Soorholtz and Boswell, a bill for an act to allow the seller of farmland to a beginning farmer to exclude the income or capital gain if certain conditions are met and providing an effective date.

Read first time and passed on file.

Senate File 345, by Doyle, a bill for an act to increase the tax rate on real estate transfers.

Read first time and passed on file.

Senate File 346, by Boswell, a bill for an act relating to farm unit soil conservation plans.

Read first time and passed on file.

Senate File 347, by Boswell, a bill for an act limiting the time a state bank may hold repossessed real property.

Read first time and passed on file.

Senate File 348, by Boswell, a bill for an act relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties.

Read first time and passed on file.

Senate File 349, by Hultman, a bill for an act relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles.

Read first time and passed on file.

Senate File 350, by Boswell, a bill for an act providing a soil conservation tax credit for certain uses of agricultural land.

Read first time and passed on file.

Senate File 351, by Rife, a bill for an act relating to the Iowa security fund.

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

Senate File 352, by Rodgers and Junkins, a bill for an act exempting animal shelters from complying with requests by authorized institutions for dogs for use in scientific research.

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

QUORUM CALL

Senator Welsh 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

Senator Carr asked and received unanimous consent that **Senate File 337** be referred from the Regular Calendar to the committee on **State Government**.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 12.

House Concurrent Resolution 12

On motion of Senator Boswell, House Concurrent Resolution 12, a resolution recognizing the National Crisis Action Rally, was taken up for immediate consideration.

Senator Boswell moved the adoption of House Concurrent Resolution 12, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 269.

Senate File 269

On motion of Senator Gronstal, Senate File 269, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions, was taken up for consideration.

Senator Gentleman offered amendment S—3153 filed by her on February 25, 1985, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—3153 lost.

Senator Dieleman offered amendment S—3151 filed by him on February 25, 1985, to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 29.

Amendment S—3151 lost.

Senator Gronstal moved that the bill be read the last time now and placed upon 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. 269) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Teden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery

Husak

Hutchins

Jensen

Priebe

Waldstein

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

APPENDIX

SENATE STUDY BILLS

SSB 240 Human Resources

Requiring coverage under group policies of accident and health insurance for the treatment of chemical dependency on substantially the same basis as other physical health care coverages, with certain limitations.

SSB 241 Commerce

Relating to real property which is subject to foreclosure or forfeiture.

SSB 242 Commerce

Relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an applicant for a loan shall report other installment loans that the applicant may have.

SSB 243 Education

To provide for an advance under the state school foundation formula for four-year-old children enrolled in prekindergarten programs.

SSB 244 Transportation

Exempting fire trucks and other fire apparatus from meeting air quality standards.

SSB 245 Transportation

Requiring an odometer certification with each renewal of certain motor vehicle registrations and including a penalty.

SSB 246 Transportation

Requiring insurance for certain motor vehicle service contracts and providing a remedy.

SSB 247 Transportation

Establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty.

SSB 248 Human Resources

Relating to drug product selection.

SSB 249 Transportation

Relating to farm-to-market road fund allocations.

SSB 250 Transportation

Allowing the state department of transportation to issue a certificate of exemption from child restraint requirements when the department finds the nature of particular nonfamily uses makes compliance impracticable.

SSB 251 Education

Relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers.

SSB 252 Judiciary

Relating to estates by defining the "per stirpes" method of distribution for purposes of the probate code.

SSB 253 Agriculture

Relating to the bonding requirements for a holder of a permit to sell seeds.

SSB 254 State Government

To license operators of radiation emitting equipment.

COMMITTEE REPORT**JUDICIARY**

Final Bill Action: SENATE FILE 120, a bill for an act relating to grave or burial sites by allowing their protection and preservation by law enforcement agencies and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3159.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 245, a bill for an act relating to jurors, jury commissions and juror selection and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3169 (filed February 27, 1985).

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Kimball, M.D., Des Moines, Iowa.

AMENDMENTS FILED

S-3156	S. F.	259	Joy Corning
S-3157	S. F.	157	Commerce
S-3158	S. F.	250	John N. Nystrom
S-3159	S. F.	120	Judiciary
S-3160	S. F.	218	Judiciary

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:34 p.m., until 8:45 a.m., Wednesday, February 27, 1985.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 27, 1985

The Senate met in regular session at 8:45 a.m., President Anderson presiding.

Prayer was offered by Father Michael O'Meara, pastor of Our Lady of the Immaculate Heart Church, Ankeny, Iowa.

The Journal of Tuesday, February 26, 1985, was approved.

RECESS

On motion of Senator Junkins, the Senate recessed at 8:50 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: February 26, 1985, 10:10 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair and Holt, Ranking Member.

Members Absent: Holden and Priebe (both excused).

Committee Business: Budget recommendations for the Iowa Development Commission.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 26, 1985, 10:15 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Recommendations on proposed study bill.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 26, 1985, 10:12 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member and Corning.

Members Absent: Mann.

Committee Business: Discussion on the budget.

Adjourned: 10:58 a.m.

COMMERCE

Convened: February 26, 1985, 8:16 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal and Tieden.

Members Absent: Hutchins, Jensen, Priebe (all excused), Nystrom and Palmer.

Committee Business: Assigned bills to subcommittees; the Chair acknowledged the lack of a quorum; discussed Senate File 157 as amended.

Adjourned: 8:20 a.m.

EDUCATION

Convened: February 26, 1985, 1:35 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:22 p.m.

HUMAN RESOURCES

Convened: February 26, 1985, 8:05 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Hannon, C. Miller, Vande Hoef and Gratias.

Members Absent: Carr, Coleman, Murphy, Readinger and Taylor.

Committee Business: Assigned SSB 240 to a subcommittee; Senators Gratias and Murphy were added to subcommittee on SSB 165.

Adjourned: 8:17 a.m.

JUDICIARY

Convened: February 26, 1985, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester; Holt, Horn, Small and Taylor.

Members Absent: Drake.

Committee Business: Assigned bills to subcommittees; Senate Files 120 and 245 reported to the Senate calendar.

Adjourned: 4:30 p.m.

LOCAL GOVERNMENT

Convened: February 26, 1985, 3:38 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Goodwin, Hall, Lind, Neighbour, Vande Hoef (arrived 3:55 p.m.) and Wells.

Members Absent: Waldstein, Ranking Member and Priebe (both excused).

Committee Business: Assigned bills to subcommittees; approved SSB 224 as a committee bill; approved SSBs 200 and 225 and ordered redrafted for final approval as committee bills.

Adjourned: 4:15 p.m.

TRANSPORTATION

Convened: February 26, 1985, 1:30 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Doyle, Gettings, Goodwin, Kinley, A. Miller and Nystrom.

Members Absent: Drake, Ranking Member and Jensen (both excused).

Committee Business: Assigned bills to subcommittees; reported Senate File 183 to the Senate calendar.

Adjourned: 1:40 p.m.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 25 and 26, 1985.

Had I been present on February 25, I would have voted "aye" on Senate Files 27, 229, 254, 257 and 271. I would have voted "aye" on House Concurrent Resolution 12 and Senate File 269 on February 26, 1985.

BILL HUTCHINS

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 13, a resolution emphasizing the importance of the arts to a complete education.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3164.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. David Youberg, M.D., Sac City, Iowa.

AFTERNOON SESSION

The Senate reconvened at 5:05 p.m., Senator Brown presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Priebe, a joint resolution to nullify an administrative rule on the application of the sales tax on certain personal property.

Read first time and passed on file.

Senate File 353, by Murphy, a bill for an act to increase the income threshold below which a household qualifies for a credit for special assessments due and payable under the extraordinary property tax relief law.

Read first time and passed on file.

Senate File 354, by Priebe, a bill for an act relating to the filing of a request for a contested case proceeding with a state agency.

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 46 present, 4 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Neighbour and Hall for the afternoon on request of Senator Junkins.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 32.

Senate File 32

On motion of Senator Hutchins, Senate File 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Taylor offered amendment S—3161 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—3161 be adopted?” (S.F. 32) the vote was:

Ayes, 21:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Junkins
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Rodgers	Small
Wells	Welsh		

Absent or not voting, 3:

Hall	Kinley	Neighbour
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Amendment S—3161 lost.

Senator Hultman raised the point of order that Senate File 32 should be referred to the committee on Ways and Means or Appropriations.

The Chair ruled the point not well taken.

Senator Jensen asked and received unanimous consent that action on **Senate File 32** be deferred for preparation of a fiscal note.

Senator Junkins asked and received unanimous consent to take up out of order **Senate File 286**.

Senate File 286

On motion of Senator Holden, **Senate File 286**, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date, 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. 286) the vote was:

Ayes, 44:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Hall	Hultman	Kinley
Neighbour	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 87**.

House File 87

On motion of Senator Murphy, House File 87, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3147 filed by the committee on Education on February 20, 1985, to strike everything after the enacting clause and the title page of the bill and moved its adoption.

Amendment S—3147 was adopted by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 87) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Nays, none.

Absent or not voting, 5:

Hall	Kinley	Neighbour	Nystrom
Wells			

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 File 286** and **House File 87** be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 355, by Committee on Local Government, a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

Read first time and placed on calendar.

APPENDIX**SENATE STUDY BILLS****SSB 133A State Government**

Amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

SSB 255 Judiciary

Relating to guardianships and conservatorships.

SSB 256 Commerce

Relating to the investment powers of a state-chartered savings and loan association.

SSB 257 Commerce

Relating to subsidiaries of savings and loan associations.

SSB 258 Commerce

Relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

SSB 259 Education

Relating to the requirements for certain programs for science and mathematics administered by the Iowa college aid commission.

COMMITTEE REPORTS**LOCAL GOVERNMENT**

Final Bill Action: SENATE FILE 355 (SSB 224) a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: A. Miller, C. Miller, Goodwin, Hall, Lind, Vande Hoef and Wells. Nays, none. Absent or not voting, 3: Waldstein, Neighbour and Priebe (all excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 186, a bill for an act to prohibit the shooting of a shotgun with rifled slugs over public highways of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Neighbour, Rodgers, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 337, a bill for an act relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Pat and Charlene Zatloukal of Ron's Restaurant, Goldfield, Iowa—For their enterprise and ingenuity in the January, 1985, fund raising extravaganza. Senator Taylor.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-five students from Madison Elementary School, Des Moines, Iowa, accompanied by Ms. Warren. Senator Mann.

The Chair welcomed the Honorable Roger Shaff, former member of the Senate from Clinton County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3161	S. F.	32	Ray Taylor
S—3162	S. F.	259	Joe Brown Arthur L. Gratias
S—3163	S. F.	194	Richard Vande Hoef
S—3164	S. C. R.	13	Education
S—3165	S. F.	32	Jack Rife
S—3166	S. F.	318	Tom Mann, Jr.
S—3167	S. F.	194	Richard Vande Hoef
S—3168	S. F.	329	Donald V. Doyle
S—3169	S. F.	245	Judiciary
S—3170	S. F.	32	Ray Taylor
S—3171	S. F.	194	Ray Taylor
S—3172	S. F.	293	Charles P. Miller

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:10 p.m., until 9:00 a.m., Thursday, February 28, 1985.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 28, 1985

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

Prayer was offered by the Reverend Brian Carter of the Inter-City Cooperative Parish of the United Methodist Church, Des Moines, Iowa.

The Journal of Wednesday, February 27, 1985, was approved.

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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:15 a.m., until 3:30 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 25, the following technical corrections were made:

1. Page 1, line 35, "144A.4" was changed to "144A.3".
2. Page 5, line 31, "144A.6" was changed to "144A.5".
3. Page 5, line 33, "144A.7" was changed to "144A.6".

4. Page 5, line 34, "144A.8" was changed to "144A.7".
5. Page 6, line 5, "144A.8" was changed to "144A.7".
6. Page 6, line 35, "144A.5" was changed to "144A.4".
7. Page 7, line 8, "144A.4" was changed to "144A.3".

K. MARIE THAYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 27, 1985, 4:08 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Husak, Hester, Vande Hoef and Waldstein.

Members Absent: Hutchins and Palmer.

Committee Business: Assigned bills to subcommittees; a presentation was made concerning the brucellosis problems in Iowa.

Adjourned: 5:10 p.m.

COMMERCE

Convened: February 27, 1985, 2:04 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Gronstal, Nystrom, Palmer, Priebe and Tieden.

Members Absent: Holden, Ranking Member (excused); Hutchins and Jensen.

Committee Business: Welcomed credit union members visiting the Capitol.

Adjourned: 2:05 p.m.

EDUCATION

Convened: February 27, 1985, 4:02 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:55 p.m.

HUMAN RESOURCES

Convened: February 27, 1985, 2:09 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, C. Miller, Readinger, Vande Hoef, Gratas and Taylor.

Members Absent: none.

Committee Business: Discussed SSB 240; guest speakers were: Harold E. Hughes, former Governor and U.S. Senator from Iowa, and Mr. Wilson from Blue Cross and Blue Shield.

Adjourned: 3:26 p.m.

STATE GOVERNMENT

Convened: February 27, 1985, 3:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Nystrom, Ranking Member.

Committee Business: Assigned bills to subcommittees and reported Senate File 337 to the Senate calendar.

Adjourned: 3:50 p.m.

BILL ENROLLED, SIGNED AND SENT TO THE 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 28th day of February, 1985:

Senate File 25.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 70, a bill for an act relating to the conducting of going-out-of-business sales and providing for penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Small, Rife, Boswell, Doyle, Neighbour, Readinger, Ritsema and Vande Hoef. Nays, none. Absent or not voting, 4: Rodgers, Waldstein, Brown and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:35 p.m., President Anderson presiding.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 25, 1985

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 Jeanann Celli, Hartford, Connecticut, for appointment as Director of the Iowa Arts Council pursuant to Section 304A.3, 1983 Code of Iowa, serving at the pleasure of the Governor for an unexpired term beginning April 1, 1985 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 BILLS

Senate File 356, by Jensen, a bill for an act allowing the state department of transportation to issue a certificate of title for a vehicle when the previous title was surrendered for a junking certificate due to mistake or inadvertence.

Read first time and passed on file.

Senate File 357, by Hultman, a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers.

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 46 present, 4 absent and a quorum present.

The Senate stood at ease for the purpose of a party caucus 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 48 present, 2 absent and a quorum present.

CONSIDERATION OF BILL, (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 332.

Senate File 332

On motion of Senator Palmer, Senate File 332, a bill for an act relating to the providing of certain tax incentives to an industry which creates new jobs within the state, was taken up for consideration.

Senator Drake offered amendment S—3175 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 26.

Amendment S—3175 lost.

Senator Lind asked and received unanimous consent that action on amendment S—3174 filed by Senators Lind and Vande Hoef from the floor to page 5 and the title page of the bill be deferred.

Senator Palmer offered amendment S—3176 filed by Senators Palmer, et al., from the floor to pages 5, 6 and to the title page of the bill and moved its adoption.

Amendment S—3176 was adopted by a voice vote.

Senator Lind asked and received unanimous consent to withdraw amendment S—3174.

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?" (S.F. 332) the vote was:

Ayes, 46:

Boswell	Brown	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 4:

Bruner	Coleman	Gentleman	Hannon
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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.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 250.

Senate File 250

On motion of Senator Nystrom Senate File 250, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system, was taken up for consideration.

Senator Nystrom offered amendment S—3158 filed by him on February 26, 1985, to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3158 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. 250) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A. V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Weish		

Nays, none.

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 332 passed the Senate on February 28, 1985.

LOWELL L. JUNKINS

MR. PRESIDENT: I move to reconsider the vote by which Senate File 332 passed the Senate on February 28, 1985.

CALVIN O. HULTMAN

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order Senate File 276.

Senate File 276

On motion of Senator Ritsema, Senate File 276, a bill for an act relating to the jurisdiction of district associate judges, 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. 276) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	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.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 332 passed the Senate on February 28, 1985.

BERLE E. PRIEBE

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 330** be referred from the Regular Calendar to the committee on **Appropriations**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 20, by Doyle, a resolution relating to the judiciary.

Read first time and passed on file.

APPENDIX

SENATE STUDY BILLS

SSB 159A Small Business & Economic Development

Relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

SSB 260 Education

Relating to a violation for failure to yield to or illegally passing a school bus.

SSB 261 Small Business & Economic Development

Allowing the assets of insurance companies, state banks, state savings banks, and state savings and loan associations in small businesses in the state.

SSB 262 Small Business & Economic Development

Relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

SSB 263 Small Business & Economic Development

Allowing the pension funds of the public safety police officers, Iowa public employees, and the police officers and fire fighters, and assets of insurance companies, state banks, state savings banks, and state savings and loan associations to be invested in venture capital firms making investments in small businesses in the state.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lynn Leibel, M.D., Council Bluffs, Iowa.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	5	Ways and Means
S. F.	344	Ways and Means
S. F.	345	Ways and Means
S. F.	346	Natural Resources
S. F.	347	Commerce
S. F.	348	Commerce
S. F.	349	Ways and Means
S. F.	350	Ways and Means
S. F.	351	Commerce
S. F.	352	Local Government
S. F.	353	Ways and Means
S. F.	354	State Government
H. F.	311	Local Government

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 209, a bill for an act relating to the appointment of attorneys by the court.

Recommendation: AMEND AND DO PASS AS PROVIDED IN S—3179.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Horn, Holt, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 239, a bill for an act relating to the custody of children by an abandoned spouse.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Coleman, Carr, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small, Taylor and Gentleman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 326, a bill for an act relating to the selection of official newspapers.

Recommendation: DO PASS.

Final Vote: Ayes, 6: A. Miller, C. Miller, Waldstein, Goodwin, Neighbour and Wells. Nays, 2: Lind and Priebe. Voting present, 1: Vande Hoef. Absent, 1: Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 30, a bill for an act to establish a forest lands hunting stamp for the taking of deer and wild turkey, dedicate the proceeds from sales of the stamps and subject violators to a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3178.

Final Vote: Ayes, 7: Doyle, Goodwin, Hannon, Husak, Neighbour, Rodgers and Schwengels. Nays, 4: Priebe, Gratias, Hester and Tieden. Voting present, 1: Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 183, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3177.

Final Vote: Ayes, 10: Hall, Goodwin, Gratijs, Hannon, Hester, Husak, Neighbour, Rodgers, Schwengels and Tieden. Nays, 2: Doyle and Priebe.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Kaoru Kakinoki, Japan; Cristina Anacabe, Spain and Heiko Spahn, West Germany, visiting the United States through the Youth for Understanding Education Exchange Program. Senator Soorholtz.

AMENDMENTS FILED

S—3173	S. F.	9	Transportation
S—3174	S. F.	332	Thomas A. Lind Richard Vande Hoef
S—3175	S. F.	332	Richard F. Drake
S—3176	S. F.	332	William D. Palmer Lowell L. Junkins Calvin O. Hultman Bill Hutchins Edgar H. Holden John W. Jensen Richard F. Drake Arne Waldstein Norman G. Rodgers
S—3177	H. F.	183	Natural Resources
S—3178	S. F.	30	Natural Resources.
S—3179	S. F.	209	Judiciary
S—3180	S. F.	274	Joe Brown
S—3181	S. F.	32	Bob Carr Ray Taylor
S—3182	S. F.	32	Bob Carr

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Friday, March 1, 1985.

JOURNAL OF THE SENATE

FORTY-SEVENTH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 1, 1985

The Senate met in regular session at 9:10 a.m., President Anderson presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa.

The Journal of Thursday, February 28, 1985, was approved.

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 28, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 55, a bill for an act relating to fur harvester and hunting licenses and providing an effective date by publication.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 21, by Gentleman, Hannon and Corning, a resolution recognizing Women's History Week.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Waldstein, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the power of the people to propose and enact or reject statutes by initiative petition and to reject acts of the general assembly by referendum.

Read first time and passed on file.

Senate File 358, 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 359, by Waldstein, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date.

Read first time and passed on file.

Senate File 360, by Rodgers, a bill for an act relating to the rate of tax on motor fuel 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 361, by Committee on Education, a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching loan for certain teachers.

Read first time and placed on calendar.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holt and Schwengels for 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 16 and Senate Files 213, 318 and 194.

Senate Concurrent Resolution 16

On motion of Senator Kinley, Senate Concurrent Resolution 16, a resolution calling upon the Congress of the United States to enact legislation allowing the states to increase the fifty-five mile

per hour speed limit on fully controlled-access, divided, multilaned highways located within their borders including the interstate highway system, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on Senate Concurrent Resolution 16 be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hannon for the day on request of Senator Junkins.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 213

On motion of Senator Carr, Senate File 213, a bill for an act relating to the imposition of mandatory minimum sentences, 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. 213) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Holden

Absent or not voting, 3:

Hannon Holt Schwengels

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

Senate File 318

On motion of Senator Mann, Senate File 318, a bill for an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections, was taken up for consideration.

Senator Mann offered amendment S—3154 filed by him on February 25, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3154 was adopted by a voice vote.

Senator Mann offered amendment S—3166 filed by him on February 27, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3166 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. 318) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Wells	Welsh	

Nays, 4:

Holden	Lind	Vande Hoef	Waldstein
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Absent or not voting, 3:

Hannon

Holt

Schwengels

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

Senate File 194

On motion of Senator Vande Hoef, Senate File 194, a bill for an act relating to reports of a mobile home park licensee to the county treasurer, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3145 filed by the committee on Local Government on February 19, 1985, to strike everything after the enacting clause and to the title page of the bill.

Senator Vande Hoef offered amendment S—3163 filed by him on February 27, 1985, to amendment S—3145 and moved its adoption.

Amendment S—3163 was adopted by a voice vote.

Senator Vande Hoef withdrew amendment S—3167 to amendment S—3145 filed by him on February 27, 1985.

Senator Vande Hoef offered amendment S—3171 filed by him on February 27, 1985, to amendment S—3145 and moved its adoption, which motion prevailed by a voice vote.

Senator Vande Hoef moved the adoption of amendment S—3145 as amended, which motion prevailed 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. 194) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Horn

Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon	Holt	Schwengels	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.

UNFINISHED BUSINESS (Deferred February 27, 1985)

Senate File 32

The Senate resumed consideration of Senate File 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, deferred February 27, 1985.

Senator Kinley took the chair at 9:59 a.m.

Senator Carr 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—3161 to Senate File 32 failed to be adopted by the Senate on February 27, 1985.

The motion prevailed by a voice vote and amendment S—3161 by Senator Taylor to page 1 of the bill, was taken up for reconsideration.

Senator Carr offered amendment S—3181 filed by Senators Carr and Taylor on February 28, 1985, to amendment S—3161 and moved its adoption.

Amendment S—3181 was adopted by a voice vote.

Senator Taylor moved the adoption of amendment S—3161 as amended, which motion prevailed by a voice vote.

Senator Rife offered amendment S—3165 filed by him on February 27, 1985, to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3165 be adopted?" (S.F. 32) the vote was:

Ayes, 15:

Corning	Goodwin	Gratias	Hester
Holden	Jensen	Neighbour	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gronstal	Hall	Horn	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Rodgers	Wells
Welsh			

Absent or not voting, 6:

Hannon	Holt	Hultman	Lind
Schwengels	Small		

Amendment S—3165 lost.

Senator Carr offered amendment S—3182 filed by him on February 28, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3182 was adopted by a voice vote.

Senator Taylor offered amendment S—3170 filed by him on February 27, 1985, to page 7 of the bill and moved its adoption.

Amendment S—3170 was adopted by a voice vote.

Senator Waldstein asked and received unanimous consent that further action on **Senate File 32** be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 289.

Senate File 289

On motion of Senator Small, Senate File 289, a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee, 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. 289) the vote was:

Ayes, 46:

Boeswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon	Holt	Hultman	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 Hutchins asked and received unanimous consent to take up out of order Senate File 290.

Senate File 290

On motion of Senator Drake, Senate File 290, a bill for an act relating to the sale of antique motor vehicles, 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. 290) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon	Holt	Hultman	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 Hutchins asked and received unanimous consent to take up out of order Senate File 291.

Senate File 291

On motion of Senator Bruner, Senate File 291, a bill for an act relating to the authority of the department of water, air and waste management over used oil, 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. 291) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Holden

Absent or not voting, 4:

Hannon	Holt	Hultman	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 RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 17.

Senate Concurrent Resolution 17

On motion of Senator Neighbour, Senate Concurrent Resolution 17, a resolution relating to the preservation of environmental and agricultural land resources, was taken up for consideration.

Senator Neighbour moved the adoption of Senate Concurrent Resolution 17, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 303.

Senate File 303

On motion of Senator Gronstal, Senate File 303, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon 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. 303) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hannon	Hoft	Hultman	Readeringer
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 303 passed the Senate on March 1, 1985.

WILLIAM D. PALMER

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 317.

Senate File 317

On motion of Senator Goodwin, Senate File 317, a bill for an act relating to the qualifying for office, 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. 317) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hester	Holden	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Rife	Ritsema	Rodgers
Small	Soorhoitz	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Hannon	Holt	Hultman
Readinger	Schwengels	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 Senate File 329.

Senate File 329

On motion of Senator Doyle, Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization, was taken up for consideration.

Senator Doyle offered amendment S—3168 filed by him on February 27, 1985, to pages 2 and 15 of the bill and moved its adoption.

Amendment S—3168 was adopted by a voice vote.

Senator Doyle offered amendment S—3184 filed by Senators Dieleman and Doyle from the floor to page 18 of the bill and moved its adoption.

Amendment S—3184 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. 329) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger

Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hannon	Holt	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 25, 1985)

Senate File 259

The Senate resumed consideration of Senate File 259, a bill for an act to change the names of the education agency, governing board, and chief administrative officer to department of education, state board of education, and commissioner of education and to change the method of appointing the chief administrative officer, deferred February 25, 1985.

Senator Corning withdrew amendment S—3156 filed by her on February 26, 1985, to page 2 of the bill.

Senator Brown offered amendment S—3162 filed by Senators Brown and Gratias on February 27, 1985, to page 2 and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—3162 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. 259) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gronstal	Hall	Hester	Holden
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Rodgers	Small	Soorholtz	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 6:

Corning	Gentleman	Gratias	Jensen
Ritsema	Vande Hoef		

Absent or not voting, 4:

Hannon	Holt	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.

INTRODUCTION OF BILLS

Senate File 362, by Hutchins, 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 363, by Coleman, a bill for an act relating to the sale of seed corn, and providing a penalty.

Read first time and passed on file.

Senate File 364, by Committee on Labor and Industrial Relations, 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.

Read first time and placed on calendar.

Senate File 365, by Committee on State Government, a bill for an act amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

Read first time and placed on calendar.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate File 92**

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rodgers, Chair; Doyle and Ritsema

Senate File 237

WAYS & MEANS: Husak, Chair; Rodgers and Hester

Senate File 238

LOCAL GOVERNMENT: A. Miller, Chair; Hall and Waldstein

Senate File 240

AGRICULTURE: Priebe, Chair; Husak and Hester

Senate File 242

WAYS & MEANS: Readinger, Chair; Boswell and Dieleman

Senate File 255

WAYS & MEANS: Gronstal, Chair; Bruner, Boswell, Readinger and Gratias

Senate File 262

WAYS AND MEANS: Palmer, Chair; Bruner and Holt

Senate File 268

APPROPRIATIONS: Murphy, Chair; Horn and Tieden

Senate File 277

WAYS & MEANS: Rodgers, Chair; Brown and Gratias

Senate File 280

WAYS & MEANS: Gronstal, Chair; Mann and Hester

Senate File 285

TRANSPORTATION: Drake, Chair; Jensen and Kinley

Senate File 288

WAYS & MEANS: Palmer, Chair; Boswell and Soorholtz

Senate File 292

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

Senate File 293

STATE GOVERNMENT: Welsh, Chair; C. Miller and Nystrom

Senate File 295

STATE GOVERNMENT: Carr, Chair; Horn and Rife

Senate File 298

JUDICIARY: Horn, Chair; Small and Hester

Senate File 302

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

Senate File 305

EDUCATION: Brown, Chair; Murphy and Gratias

Senate File 307

TRANSPORTATION: Doyle, Chair; Jensen and A. Miller

Senate File 308

STATE GOVERNMENT: Mann, Chair; C. Miller and Schwengels

Senate File 309

JUDICIARY: Small, Chair; Drake and Mann

Senate File 312

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife

Senate File 313**TRANSPORTATION: Drake, Chair; Kinley and Doyle****Senate File 314****JUDICIARY: Drake, Chair; Mann and Small****Senate File 319****EDUCATION: Hannon, Chair; Corning and Murphy****Senate File 320****LABOR & INDUSTRIAL RELATIONS: Deluhery, Chair; Wells and Holden****Senate File 322****STATE GOVERNMENT: Mann, Chair; Horn and Corning****Senate File 323****STATE GOVERNMENT: Coleman, Chair; Dieleman and Drake****Senate File 324****STATE GOVERNMENT: Welsh, Chair; Dieleman and Nystrom****Senate File 326****LOCAL GOVERNMENT: Waldstein, Chair; Neighbour and Vande Hoef****Senate File 327****EDUCATION: Wells, Chair; Murphy and Corning****Senate File 333****JUDICIARY: Carr, Chair; Deluhery and Drake****Senate File 334****JUDICIARY: Mann, Chair; Horn and Gentleman****Senate File 335****JUDICIARY: Horn, Chair; Mann and Ritsema**

Senate File 338

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

Senate File 339

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

Senate File 340

JUDICIARY: Mann, Chair; Gentleman and Small

Senate File 342

AGRICULTURE: Boswell, Chair; Hutchins and Vande Hoef

Senate File 343

JUDICIARY: Mann, Chair; Horn and Drake

House File 41

COMMERCE: Tieden, Chair; Priebe and Jensen

House File 66

NATURAL RESOURCES: Husak, Chair; Tieden and Rodgers

House File 70

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Boswell, Chair;
Neighbour and Ritsema

SSB 159A

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Small and
Brown

SSB 228

WAYS & MEANS: Palmer, Chair; Readinger and Soorholtz

SSB 232

JUDICIARY: Doyle, Chair; Holt and Mann

SSB 234

STATE GOVERNMENT: Nystrom, Chair; Welsh and Rife

SSB 235

JUDICIARY: Small, Chair; Mann and Ritsema

SSB 236

JUDICIARY: Dieleman, Chair; Deluhery and Taylor.

SSB 237

EDUCATION: Brown, Chair; Colton and Corning

SSB 238

NATURAL RESOURCES: Hannon, Chair; Neighbour and Hall

SSB 239

JUDICIARY: Mann, Chair; Ritsema and Doyle

SSB 240

HUMAN RESOURCES: Murphy, Chair; Bruner and Gentleman

SSB 241

COMMERCE: Priebe, Chair; Jensen and Holden

SSB 242

COMMERCE: Gronstal, Chair; Priebe and Tieden

SSB 243

EDUCATION: Brown, Chair; Murphy and Gratias

SSB 244

TRANSPORTATION: Hall, Chair; Goodwin and Gettings

SSB 245

TRANSPORTATION: Doyle, Chair; Gettings and Drake

SSB 246

TRANSPORTATION: Doyle, Chair; Gettings and Drake

SSB 247

TRANSPORTATION: Kinley, Chair; A. Miller and Goodwin

SSB 249

TRANSPORTATION: Coleman, Chair; Drake and Gettings

SSB 250

TRANSPORTATION: A. Miller, Chair; Nystrom and Doyle

SSB 251

EDUCATION: Murphy, Chair; Hannon and Corning

SSB 252

JUDICIARY: Small, Chair; Ritsema and Gentleman

SSB 253

AGRICULTURE: Waldstein, Chair; Hester and A. Miller

SSB 254

STATE GOVERNMENT: Welsh, Chair; Horn, C. Miller, Corning and Schwengels

SSB 255

JUDICIARY: Small, Chair; Gentleman and Ritsema

SSB 259

EDUCATION: Brown, Chair; Taylor and Horn

SSB 261

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Boswell and Ritsema

SSB 262

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Small, Chair; Brown and Rife

SSB 263

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Boswell and Ritsema

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN RIGHTS

Convened: February 28, 1985, 11:05 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair; Readinger, Ranking Member; A. Miller and Rife.

Members Absent: none.

Committee Business: Subcommittee approved and submitted proposed Health and Human Rights appropriations bill to the full Appropriations committee.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 28, 1985, 11:00 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein (arrived 11:10 a.m.).

Committee Business: Budget recommendations on courts rollover language and Department of Public Safety for victim compensation.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 28, 1985, 11:04 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Corning and Mann.

Members Absent: Schwengels, Ranking Member.

Committee Business: Holly Lyons of the Fiscal Bureau explained to the committee some of the changes made in the appropriations; subcommittee approved and submitted LSB 1702S 71 to the full Appropriations committee.

Adjourned: 11:36 a.m.

JUDICIARY

Convened: February 28, 1985, 2:30 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 42, 223, 229 and 230 as committee bills; reported Senate Files 209 and 239 to Senate calendar.

Adjourned: 3:30 p.m.

LOCAL GOVERNMENT

Convened: February 28, 1985, 2:35 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Lind, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: Hall.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on SSBs 200 and 225; reported Senate File 326 to Senate calendar.

Adjourned: 3:25 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 28, 1985, 8:12 a.m.

Members Present: Small, Chair; Rife, Ranking Member; Boswell, Doyle, Neighbour, Readinger, Ritsema and Vande Hoef.

Members Absent: Rodgers, Vice Chair, Waldstein (both excused), Brown and Hutchins.

Committee Business: Reported House File 70 to the Senate calendar; assigned bills to subcommittees.

Adjourned: 8:30 a.m.

STATE GOVERNMENT

Convened: February 28, 1985, 1:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Corning.

Committee Business: Approved SSB 133A and ordered redrafted as a committee bill.

Adjourned: 2:35 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 342, a bill for an act relating to bees by making certain acts unlawful, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 361 (SSB 251), a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LABOR & INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 364 (SSB 147), 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Mann, Gettings, Colton, Deluhery, Wells and Welsh. Nays, 3: Holden, Hultman and Rife. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 365 (SSB 133A), a bill for an act amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Carr, Dieleman, Bruner, Coleman, Horn, Mann, C. Miller and Welsh. Nays, 1: Rife. Absent or not voting, 5: Nystrom, Corning, Drake, Gentleman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 1st day of March, 1985:

Senate Files 15, 77, 128 and 163.

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.	20	Judiciary
S. F.	356	Transportation
S. F.	357	Education

SENATE STUDY BILLS

SSB 237A Education

Relating to the enrollment of certain pupils in contiguous school districts upon the request of the parent or guardian and providing that the Act takes effect for the school year commencing July 1, 1985.

SSB 264 Agriculture

Relating to an agricultural supply dealer's lien.

SSB 265 Agriculture

Relating to the content requirements of types of milk.

SSB 266 Agriculture

Relating to the authority of the department of water, air and waste management over the activities of drainage districts.

SSB 267 Agriculture

Creating an Iowa sheep and wool promotion board, and providing a penalty.

SSB 268 Education

Relating to the authority of the area education agencies.

SSB 269 Ways and Means

Relating to distribution and collection of interest on tax revenue collected by the county treasurer.

SSB 270 Ways and Means

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.

SSB 271 Ways and Means

Relating to bonding by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs and providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

SSB 272 Agriculture

Relating to the taking up of estrays by substituting the word "finder" for the term "taker-up".

SSB 273 Transportation

Allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration.

SSB 274 State Government

To limit the penalty fee that may be imposed for renewal of expired real estate licenses.

SSB 275 Transportation

Regulating the gross weights of rubbish vehicles and making penalties applicable.

SSB 276 Education

To require drivers of certain school buses to wear seat belts when the school bus is in motion and providing a penalty.

PRESENTATION OF VISITORS

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

Two hundred students from Urbandale Junior High School, Urbandale, Iowa, accompanied by Ann Tharnish, Donna Darrah, Fran Lindstrom and Jackie Frerichs. Senator Readinger.

Twenty-two students from Wilton High School, Wilton, Iowa, accompanied by Brenda Grunden. Senators Hannon and Rife.

AMENDMENTS FILED

S-3183	S. F.	270	Charles P. Miller
S-3184	S. F.	329	William W. Dieleman Donald V. Doyle
S-3185	S. F.	337	Tom Mann
S-3186	S. F.	186	Richard Vande Hoef

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 11:52 a.m., until 1:00 p.m., Monday, March 4, 1985.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 4, 1985

The Senate met in regular session at 1:10 p.m., President Anderson presiding.

Prayer was offered by the Honorable Berl Priebe, member of the Senate from Kossuth County, Algona, Iowa.

The Journal of Friday, March 1, 1985, 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 28, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 398, a bill for an act relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility.

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

ALSO: That the House has on February 28, 1985, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 7, a resolution providing for a study of the collective bargaining process as it relates to elementary and secondary school educators.

INTRODUCTION OF BILLS

Senate File 366, by Committee on Education, a bill for an act to establish advisory committees for the board of educational examiners and to prescribe their duties.

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

Senate File 367, by Welsh and Gronstal, a bill for an act relating to the regulation of telecommunication services and providing a penalty.

Read first time and passed on file.

Senate File 368, by Welsh, Gettings, Corning, Wells, Tieden, Miller of Des Moines and Jensen, a bill for an act permitting the use of deposit insurance obtained from a deposit insurance corporation to secure the deposit of public funds.

Read first time and passed on file.

Senate File 369, by Welsh, Gettings, Corning, Tieden, Miller of Des Moines and Jensen, a bill for an act permitting a creditor who is authorized to make supervised loans pursuant to open end credit to contract for and receive a finance charge in any amount agreed to by the parties.

Read first time and passed on file.

Senate File 370, by Welsh, Gettings, Corning, Wells, Tieden, Miller of Des Moines and Jensen, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

Read first time and passed on file.

Senate File 371, by Miller of Des Moines, a bill for an act to prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition treated within the lawful scope of practice and making corporations organized by chiropractors for establishing, maintaining and operating a medical and surgical service plan subject to chapter 514.

Read first time and passed on file.

Senate File 372, by Miller of Des Moines, a bill for an act providing an income tax credit for expenditures incurred in acquiring passive or active solar energy systems and providing an effective date.

Read first time and passed on file.

Senate File 373, by Brown, a bill for an act exempting the rental of mobile or manufactured housing from the sales, services and use tax.

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

SPECIAL GUESTS

Senator Corning announced that March 3-9 was Women's History Week in Iowa and that the theme was "Let's Write Women Back Into History."

As part of Women's History Week, the Iowa Commission on the Status of Women sponsored an essay contest and Senator Gratius escorted to the well of the Senate and introduced the following essay winners:

First Place - Deborah Peterson, Rockford

Second Place - Pam Schneider, Preston

Third Place - Jenny Moser, Luxemburg

Honorable Mentions: Tina Whitecotton, Manson; Sally Hopkins, Spencer and Bryce Koelling, Milford.

(Honorable Mentions not present were Kathy Henderson, West Des Moines and Missy McAnich, Des Moines).

Senator Gratius read Deborah Peterson's winning essay to the members of the Senate.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 21.

Senate Concurrent Resolution 21

On motion of Senator Gentleman, Senate Concurrent Resolution 21, a resolution recognizing Women's History Week, was taken up for consideration.

Senator Gentleman moved the adoption of Senate Concurrent Resolution 21, which motion prevailed by a voice vote and the resolution was adopted.

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate Files 247 and 248** be referred from the Regular Calendar to the committee on **Labor and Industrial Relations**.

Senator Junkins asked and received unanimous consent that **Senate File 365** be referred from the Regular Calendar to the committee on **Appropriations**.

RECESS

On motion of Senator Junkins, the Senate recessed at 1:52 p.m., until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., President Anderson presiding.

QUORUM CALL

Senator Hutchins 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 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 28, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 173, a bill for an act to protect public employees from personnel actions as reprisals for providing information to legislators or public officials or disclosing waste, mismanagement, or violations of law.

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

House File 186, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, departmental employees as chauffeurs, and to district court reports of criminal convictions.

This bill was read first time and passed on file.

House File 309, a bill for an act prohibiting a motor vehicle from blocking access to a handicapped parking space or from parking in front of a curb cut or ramp and providing penalties.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 374, by Lind, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty.

Read first time and passed on file.

Senate File 375, by Committee on Judiciary, a bill for an act providing for forms of certain acknowledgments of conveyances of real estate.

Read first time and placed on calendar.

Senate File 376, by Committee on Judiciary, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204.

Read first time and placed on calendar.

Senate File 377, by Committee on Judiciary, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies.

Read first time and placed on calendar.

Senate File 378, by Committee on Judiciary, a bill for an act relating to the share of the surviving spouse in intestate succession.

Read first time and placed on calendar.

Senate File 379, by Gronstal, a bill for an act relating to the distribution of commodities by nonprofit food pantries.

Read first time and passed on file.

Senate File 380, by Waldstein and Palmer, a bill for an act relating to property taxes by providing for the valuation of agricultural property, the use of contract sales in determining market value, and correcting of errors on assessment and tax lists.

Read first time and passed on file.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 249.

Senate File 249

On motion of Senator Colton, Senate File 249, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state, 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. 249) the vote was:

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

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Doyle	Gettings
Gronstal	Hall	Hannon	Holden
Horn	Husak	Hutchins	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rodgers	Small	Wells	Welsh

Nays, 20:

Corning	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hester	Holt
Hultman	Jensen	Lind	Nystrom
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 2:

Deluhery	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 299.

Senate File 299

On motion of Senator Holt, Senate File 299, a bill for an act to create the crime of shoplifting, provide penalties and establish special provisions governing evidence in shoplifting cases, was taken up for consideration.

Senator Ritsema offered amendment S—3150 filed by him on February 20, 1985, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 7, nays 38.

Amendment S—3150 lost.

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. 299) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak

Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 5:

Carr	Corning	Gentleman	Gronstal
Ritsema			

Absent or not voting, 1:

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 out of order Senate File 264.

Senate File 264

On motion of Senator Waldstein, Senate File 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund, 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?" (S.F. 264) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers

Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

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 out of order Senate File 306.

Senate File 306

On motion of Senator Hannon, Senate File 306, a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon 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. 306) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Lind

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

Senator Rodgers took the chair at 4:35 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 200.

Senate File 200

On motion of Senator Mann, Senate File 200, a bill for an act relating to the office of the appellate defender, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—3152 filed by him on February 25, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3152 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. 200) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Lind

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.

The Senate stood at ease for the purpose of party caucuses until the fall of the gavel.

The Senate resumed session, President Anderson presiding.

INTRODUCTION OF BILL

Senate File 381, by Mann, a bill for an act relating to the enticing away of a minor and providing a penalty.

Read first time and passed on file.

APPENDIX**REPORT OF COMMITTEE MEETING****AGRICULTURE**

Convened: March 1, 1985, 8:04 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentations made concerning the brucellosis problems; reported Senate File 342 to the Senate calendar.

Adjourned: 8:58 a.m.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 366 (SSB 148), a bill for an act to establish advisory committees for the board of education examiners and to prescribe their duties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 375 (SSB 223), a bill for an act providing for forms of certain acknowledgments of conveyances of real estate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 376 (SSB 42), a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Holt, Horn, Hester, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 377 (SSB 229), a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Horn, Holt, Gentleman, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 378, a bill for an act relating to the share of the surviving spouse in intestate succession.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Horn, Holt, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 81, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, Nystrom, Bruner, Coleman, Corning, Gentleman, Horn, C. Miller, Rife, Schwengels and Welsh. Nays, 1: Dieleman. Absent or not voting, 2: Drake 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. J. R.	6	State Government
S. F.	358	Transportation
S. F.	359	Local Government
S. F.	360	Ways and Means
S. F.	362	Ways and Means
S. F.	363	Agriculture

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following governor's appointee on the En Bloc Confirmation Calendar on March 4, 1985:

Jeanann Celli as Director of the Iowa State Arts Council

LOWELL L. JUNKINS, Chair

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 4, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 25—Relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

SENATE STUDY BILLS

SSB 277 Education

Relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

SSB 278 Judiciary

Relating to the use of convictions of violations of the motor vehicle laws as evidence in civil actions.

SSB 279 Judiciary

Relating to the predisposition investigation and report in a juvenile delinquency proceeding.

SSB 280 Judiciary

Relating to the time for hearing of contested small claims.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 1, 1985.

Had I been present, I would have voted "aye" on Senate Files 303 and 317.

DAVE READINGER

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 249 passed the Senate on March 4, 1985.

EDGAR H. HOLDEN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 249 passed the Senate on March 4, 1985.

MILO COLTON

AMENDMENTS FILED

S-3187	S. F.	32	Ray Taylor
S-3188	H.F.	183	Donald V. Doyle
S-3189	S. F.	32	Arne Waldstein

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Tuesday, March 5, 1985.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 5, 1985

The Senate met in regular session at 9:03 a.m., President Anderson presiding.

Prayer was offered by the Reverend Beth Dobyms, pastor of the Christian Church (Disciples of Christ), Perry, Iowa.

The Journal of Monday, March 4, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rodgers for the morning on request of Senator Junkins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 113, a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long term care and home health care.

ALSO: That the House has on March 1, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 170, 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.

House File 378, a bill for an act exempting road workers from the forty miles per hour minimum speed limit.

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

House File 395, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

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

House File 415, a bill for an act relating to the designation of persons to accept bond money and securities.

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

House File 419, a bill for an act relating to the payment of court costs and providing a penalty.

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

House File 421, a bill for an act relating to the custody of children by an abandoned spouse.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 9:08 a.m., until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:35 a.m., Senator Coleman 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.

The Senate stood at ease for the purpose of party caucuses until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

INTRODUCTION OF BILL

Senate File 382, by Rife, a bill for an act relating to the sale of land to a beginning farmer by providing an adjustment to taxable income.

Read first time and passed on file.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:20 p.m., until 2:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION**

Convened: March 4, 1985, 9:18 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member and Priebe.

Members Absent: Holden.

Committee Business: Budget recommendations for DOT - Driver's License Transfer and Community Block Grant funding.

Adjourned: 10:00 a.m.

APPROPRIATIONS

Convened: March 4, 1985, 4:25 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind.

Members Absent: Murphy.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:30 p.m.

STATE GOVERNMENT

Convened: March 4, 1985, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Gentleman, Horn, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Drake and Mann.

Committee Business: Assigned bills to subcommittees; reported Senate File 81 to Senate calendar; approved SSBs 53 and 234 and ordered redrafted as committee bills; deferred action on Senate File 199.

Adjourned: 3:30 p.m.

WAYS AND MEANS

Convened: March 4, 1985, 1:55 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown (arrived 2:08 p.m.), Bruner, Dieleman, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz.

Members Absent: Gratias and Mann.

Committee Business: Assigned bills to subcommittees; reported Senate Files 13 and 104 as amended to Senate calendar; amended and approved SSB 191 as a committee bill; discussed and deferred Senate File 95.

Adjourned: 2:35 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report: •

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 5th day of March, 1985:

Senate File 55.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE FILE 281, a bill for an act relating to the creation of the Iowa export trading company.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATION

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

STATE OF MICHIGAN

A copy of Senate Resolution No. 53, adopted by the Michigan State Senate, memorializing the Reagan Administration, the Congress of the United States and the Governor of Michigan to take steps to address the financial dilemma of Michigan agriculture.

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Anderson announced the following appointments:

COMMUNICATIONS REVIEW COMMITTEE (Sec. 2.35, Code of Iowa)

Senator James Wells
Senator Norman Rodgers
Senator Forrest Schwengels

Terms expire with convening of each General Assembly.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., Senator Coleman 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 1, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 292, a bill for an act relating to the requirements that must be met for and the identification of self-liquidating and revenue producing buildings and facilities to be constructed at board of regents institutions.

This bill was read first time and passed on file.

House File 414, a bill for an act relating to the sale of unused highway right-of-way by the department of transportation to county conservation boards or the state conservation commission.

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 41 present, 9 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dieleman and Rodgers for the afternoon 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 85.

Senate File 85

On motion of Senator Mann, Senate File 85, a bill for an act relating to the application for and issuance 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?" (S.F. 85) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hannon
Hester	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Ritsema	Small	Soorholtz
Tieden	Wells	Welsh	

Nays, 7:

Holden	Hultman	Lind	Rife
Taylor	Vande Hoef	Waldstein	

Absent or not voting, 4:

Dieleman	Hall	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.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 315.

Senate File 315

On motion of Senator Doyle, Senate File 315, a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed, 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. 315) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Dieleman	Hall	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 to take up out of order Senate File 316.

Senate File 316

On motion of Senator Small, Senate File 316, a bill for an act relating to the qualification of nonprofit corporations as guardians, was taken up for consideration.

Senator Small asked and received unanimous consent that House File 29 be substituted for Senate File 316.

House File 29

On motion of Senator Small, House File 29, a bill for an act relating to qualification of nonprofit corporations as guardians, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on **House File 29** be deferred.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 13.

Senate Concurrent Resolution 13

On motion of Senator Horn, Senate Concurrent Resolution 13, a resolution emphasizing the importance of the arts to a complete education, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn offered amendment S—3164 filed by the committee on education on February 27, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3164 was adopted by a voice vote.

Senator Horn moved the adoption of Senate Concurrent Resolution 13 as amended which motion prevailed by a voice vote and the resolution as amended was adopted.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 274.

Senate File 274

On motion of Senator Horn, Senate File 274, a bill for an act relating to the size of basketball used by certain students in grades kindergarten through twelve, with report of committee recommending passage, was taken up for consideration.

Senator Brown offered amendment S—3180 filed by him on February 28, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3180 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?" (S.F. 274) the vote was:

Ayes, 30:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Doyle	Drake
Gettings	Goodwin	Gronstal	Hester
Holden	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Taylor	Waldstein
Wells	Welsh		

Nays, 18:

Bruner	Corning	Gentleman	Gratias
Hall	Hannon	Holt	Hultman
Junkins	Nystrom	Readinger	Rife
Ritsema	Schwengels	Small	Soorholtz
Tieden	Vande Hoef		

Absent or not voting, 2:

Dieleman 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 to take up out of order Senate File 328.

Senate File 328

On motion of Senator Miller of Des Moines, Senate File 328, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa, 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. 328) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Neighbour	Nystrom	Palmer
Readinger	Schwengels	Small	Taylor
Vande Hoef	Waldstein	Wells	Weish

Nays, 7:

Gentleman	Lind	Murphy	Priebe
Rife	Ritsema	Soorholtz	

Absent or not voting, 3:

Dieleman	Rodgers	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 Senate File 120.

Senate File 120

On motion of Senator Hester, Senate File 120, a bill for an act relating to grave or burial sites by allowing their protection and preservation by law enforcement agencies and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hester offered amendment S—3159 filed by the committee on Judiciary on February 26, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3159 was adopted by a voice vote.

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. 120) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Dieleman 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 to take up out of order Senate File 183.

Senate File 183

On motion of Senator Doyle, Senate File 183, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise, 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. 183) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt

Horn	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Rife
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Dieleman	Hultman	Readinger	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 to take up out of order Senate File 209.

Senate File 209

On motion of Senator Ritsema, Senate File 209, a bill for an act relating to the appointment of attorneys by the court, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ritsema offered amendment S—3179 filed by the committee on Judiciary on February 28, 1985, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3179 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. 209) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Hultman	Husak	Hutchins	Jensen

Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Dieleman	Horn	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 to take up out of order Senate File 216.

Senate File 216

On motion of Senator Lind, Senate File 216, a bill for an act prohibiting discrimination on the basis of family name or consanguinity by the state board of regents, with report of committee recommending passage, was taken up for consideration.

Senator Lind moved that the bill be read the last time now and placed upon 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. 216) the vote was:

Ayes, 35:

Boswell	Brown	Carr	Coleman
Deluhery	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Rife	Schwengels	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Nays, 13:

Bruner	Colton	Corning	Doyle
Gentleman	Hannon	Holden	Mann

Readeringer	Ritsema	Small	Taylor
Vande Hoef			

Absent or not voting, 2:

Dieleman	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 to take up out of order Senate File 331.

Senate File 331

On motion of Senator Brown, Senate File 331, a bill for an act relating to the appropriation of moneys for students enrolled in certain high school courses and the uses for which those moneys may be expended, 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. 331) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nyström	Palmer	Priebe
Readeringer	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Dieleman	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 to take up out of order Senate File 157.

Senate File 157

On motion of Senator Husak, Senate File 157, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—3157 filed by the committee on Commerce on February 26, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3157 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. 157) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Dieleman Rodgers

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 245.

Senate File 245

On motion of Senator Deluhery, Senate File 245, a bill for an act relating to jurors, jury commissions and juror selection and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3169 filed by the committee on Judiciary on February 27, 1985, to pages 3, 4, 5, 7 and 8 through 14 of the bill and moved its adoption.

Amendment S—3169 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. 245) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Dieleman	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.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 355.

Senate File 355

On motion of Senator Miller of Cerro Gordo, Senate File 355, a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan, 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. 355) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Dieleman 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 to take up out of order House File 70.

House File 70

On motion of Senator Boswell, House File 70, a bill for an act relating to the conducting of going-out-of-business sales and providing for penalties, with report of committee recommending passage, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon 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. 70) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Dieleman	Hannon	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 Hutchins asked and received unanimous consent to take up out of order Senate File 342.

Senate File 342

On motion of Senator Boswell, Senate File 342, a bill for an act relating to bees by making certain acts unlawful, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon 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. 342) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Gentleman Ritsema

Absent or not voting, 2:

Dieleman Rodgers

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 366.

Senate File 366

On motion of Senator Murphy, Senate File 366, a bill for an act to establish advisory committees for the board of educational examiners and to prescribe their duties, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 366) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Schwengels	Small	Soorholtz	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 8:

Gentleman	Hester	Holden	Holt
Hultman	Kinley	Ritsema	Vande Hoef

Absent or not voting, 2:

Dieleman	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 Hutchins asked and received unanimous consent to take up out of order Senate File 239.

Senate File 239

On motion of Senator Drake, Senate File 239, a bill for an act relating to the custody of children by an abandoned spouse, with report of committee recommending passage, was taken up for consideration.

Senator Drake asked and received unanimous consent that further action on Senate File 239 be deferred.

UNFINISHED BUSINESS (Deferred March 1, 1985)

Senate File 32

The Senate resumed consideration of Senate File 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, deferred March 1, 1985.

Senator Waldstein offered amendment S—3189 filed by him on March 4, 1985, to pages 1, 3, 5, 6 and to the title page of the bill.

Senator Hutchins raised the point of order that amendment S—3189 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3189 out of order.

Senator Taylor offered amendment S—3187 filed by him on March 4, 1985, to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 32.

Amendment S—3187 lost.

Senator Husak took the chair at 5:05 p.m.

Senator Gentleman raised the point of order that Senate File 32 should be referred to the committee on Appropriations.

The Chair ruled the point not well taken.

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. 32) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gratias	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Small	Soorholtz	Wells
Welsh			

Nays, 19:

Corning	Drake	Gentleman	Goodwin
Hester	Holden	Holt	Hultman
Jensen	Kinley	Nystrom	Readinger

Rife
Tieden

Ritsema
Vande Hoef

Schwengels
Waldstein

Taylor

Absent or not voting, 2:

Dieleman

Rodgers

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

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by Taylor, Priebe, Hultman, Hall, Holden, Wells, Jensen, Neighbour, Waldstein, Corning, Drake, Goodwin, Gratias, Hester, Holt, Lind, Nystrom, Rife, Schwengels, Soorholtz, Tieden and Vande Hoef, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to protection of taxpayers' rights by limiting taxes, revenue, and spending of the state and local governments.

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

Senate File 383, by Committee on Labor and Industrial Relations, a bill for an act relating to the ranking of certain expanding employers on the unemployment compensation contribution rate tables.

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

Senate File 384, by Ritsema, a bill for an act to extend the homestead exemption to cover shareholders owning at least 50 percent of small incorporated family farms.

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

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 365, a bill for an act amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3190.

Final Vote: Ayes, 12: Welsh, Small, Tieden, Deluhery, C. Miller, Gettings, Colton, Murphy, Holt, Ritsema, Gentleman and Lind. Nays, 1: Gronstal. Absent or not voting, 5: Horn, Dieleman, Husak, Readinger and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 41, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984, and providing an effective date by publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3191.

Final Vote: Ayes, 8: Kinley, Gronstal, Holden, Hutchins, Jensen, Nystrom, Priebe and Tieden. Nays, none. Absent or not voting, 2: Deluhery and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 168, a bill for an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Rife, Wells and Welsh. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 383 (SSB 105), a bill for an act relating to the ranking of certain expanding employers on the unemployment compensation contribution rate tables.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 19, a resolution relating to the National Railroad Passenger Corporation.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 2: Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 9, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3195.

Final Vote: Ayes, 7: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 3: Drake, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 227, a bill for an act relating to the registration of special trucks.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 3: Drake, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 307, a bill for an act relating to the operation of fire vehicles and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 3: Drake, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 13, 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.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3192.

Final Vote: Ayes, 11: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gronstal, Holt, Rodgers and Soorholtz. Nays, 2: Holden and Readinger. Absent or not voting, 2: Gratias and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 104, a bill for an act providing for the payment of property taxes in installments by certain taxpayers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3193.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 3: Brown, Gratias and Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SENATE STUDY BILLS**SSB 281 Labor and Industrial Relations**

Relating to the commutation of future payments of workers' compensation.

SSB 282 Labor and Industrial Relations

Relating to the distribution of monthly employment and unemployment statistics by the department of job service.

SSB 283 Judiciary

Relating to the forcible entry or detention of real property.

SSB 284 State Government

To provide for the establishment of the Iowa higher education facilities program.

SSB 285 Agriculture

Eliminating the rights of a dissenting member or shareholder of a cooperative association that is being merged or consolidated to require the surviving or new association to purchase the member or shareholder's interest in the merged or consolidated association.

SSB 286 Transportation

Relating to payment of compensation to owners of off-premises advertising devices and to the owners of real property on which the advertising devices are located.

SSB 287 Local Government

Prohibiting the publication or sale for profit of information relating to the filing of liens, security interests or the transfer of real property filed with the secretary of state or the county recorder and providing for civil penalties.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 274 passed the Senate on March 5, 1985.

JOHN W. JENSEN

BILLS ASSIGNED TO COMMITTEE

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

S. F.	367	Commerce
S. F.	368	Commerce
S. F.	369	Commerce
S. F.	370	Commerce
S. F.	371	Commerce
S. F.	372	Ways and Means
S. F.	373	Ways and Means
S. F.	374	Judiciary
S. F.	379	Human Resources
S. F.	380	Ways and Means
S. F.	381	Judiciary
H. F.	173	Labor
H. F.	309	Transportation
H. F.	398	Human Resources

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Jeanann Celli be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

WALLY E. HORN

AMENDMENTS FILED

S-3190 S. F. 365 Appropriations

S-3191	H.F.	41	Commerce
S-3192	S.F.	13	Ways and Means
S-3193	S.F.	104	Ways and Means
S-3194	S.F.	365	Julia Gentleman
S-3195	S.F.	9	Transportation
S-3196	S.F.	365	Calvin O. Hultman
S-3197	S.F.	365	Charles Bruner
S-3198	S.F.	377	Lee W. Holt
S-3199	S.F.	239	Richard F. Drake

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Wednesday, March 6, 1985.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 6, 1985

The Senate met in regular session at 9:07 a.m., President Anderson presiding.

Prayer was offered by Sister Mary Dingman of the Emmaus Community, Des Moines, Iowa.

The Journal of Tuesday, March 5, 1985, was approved.

INTRODUCTION OF BILL

Senate File 385, by Committee on Labor and Industrial Relations, 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.

Read first time and placed on calendar.

WITHDRAWN

Senator Brown asked and received unanimous consent that Senate File 29 be withdrawn from further consideration of the Senate.

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.

REQUEST FOR UNANIMOUS CONSENT (Women's History Week)

In accordance with Senate Concurrent Resolution 21, a resolution recognizing Women's History Week and adopted by the Senate on March 4, 1985, Senator Taylor asked and received unanimous consent that the daughters' first names of the members of the Senate be published in the Senate Journal in expectation that they will be making further significant contributions to our society:

Diana, Cynthia, Holly, Kim, Shannon, Starlight, Carol, Claudia, Ann, Allison, Norah, Rose, Cyndi, Kristen, Dawn, Cheryll, Karen, Marcia, Kasha, Melinda, Nanette, Julie, Kate, Sara, Tracy, Trisha, Lisa, Mary, Julie, Missy, Diane, Denise, Kandice, Kimberly, Sondra, Barbara, Julie, Janice, Laurie, Jan, Susan, Tammie, Lisa, Linda, Rita, Carolann, Kristina, Kara, Liz, Katie, Marijo, Marlene, Marcia, Evelyn, Sue, Ellen, Monica, Amanda, Constance, Paula, Dede, Kathy, Susie, Emma, Pamela Kay, Suzanne, Martha, Cindy, Sharon, Joni, Patty, Stacey, Laura Rae, Karol Ann, Jean Lorraine, Judith, Elizabeth, Linda, Cheryl and Nancy.

UNFINISHED BUSINESS (Deferred March 5, 1985)

House File 29

The Senate resumed consideration of House File 29, a bill for an act relating to qualification of nonprofit corporations as guardians, deferred on March 5, 1985.

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. 29) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger

Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Weish	

Nays, none.

Absent or not voting, 3:

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

WITHDRAWN

Senator Small asked and received unanimous consent that **Senate File 316** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 365

On motion of Senator Bruner, Senate File 365, a bill for an act amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hultman offered amendment S—3190 filed by the committee on Appropriations on March 5, 1985, to strike everything after the enacting clause of the bill.

Senator Gentleman raised the point of order that amendment S—3190 was out of order under Senate Rule 37.

The Chair ruled the point not well taken and amendment S—3190 in order.

Senator Hultman offered amendment S—3196 filed by him on March 5, 1985, to amendment S—3190 and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 14.

Amendment S—3196 was adopted.

With the adoption of amendment S—3196 to amendment S—3190, the Chair ruled amendment S—3194 filed by Senator Gentleman on March 5, 1985, to amendment S—3190, out of order.

Senator Hultman moved the adoption of amendment S—3190 as amended.

A non record roll call was requested.

The ayes were 33, nays 14.

Amendment S—3190 as amended was adopted.

With the adoption of amendment S—3190 as amended, the Chair ruled amendment S—3197 filed by Senator Bruner on March 5, 1985, 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. 365) the vote was:

Ayes, 38:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rodgers	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 11:

Bruner	Corning	Gentleman	Gronstal
Hannon	Mann	Miller, A.V.	Miller, C.P.
Rife	Ritsema	Soorholtz	

Voting present, 1:

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 that **Senate File 365** be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration **Senate File 364**.

Senate File 364

On motion of Senator Mann, **Senate File 364**, 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 Hultman asked and received unanimous consent that further action on **Senate File 364** be deferred.

UNFINISHED BUSINESS (Deferred March 5, 1985)

Senate File 239

The Senate resumed consideration of **Senate File 239**, a bill for an act relating to the custody of children by an abandoned spouse, deferred March 5, 1985.

Senator Drake offered amendment S—3199 filed by him on March 5, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3199 was adopted by a voice vote.

Senator Drake asked and received unanimous consent that **House File 421** be substituted for **Senate File 239**.

House File 421

On motion of Senator Drake, **House File 421**, a bill for an act relating to the custody of children by an abandoned spouse, 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. 421) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom.	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Gronstal Palmer

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 174.

Senate File 174

On motion of Senator Horn, Senate File 174, a bill for an act relating to passing a vehicle on the right, 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?" (S.F. 174) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hultman	Palmer	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.

WITHDRAWN

Senator Drake asked and received unanimous consent that Senate File 239 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 297.

Senate File 297

On motion of Senator Doyle, Senate File 297, a bill for an act to allow the operation of a motor scooter by a person who has a motor vehicle operator's license not valid for the operation of a motorcycle, 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. 297) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 296.

Senate File 296

On motion of Senator Deluhery, Senate File 296, a bill for an act relating to the deposit and investment of public funds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that further action on Senate File 296 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 321.

Senate File 321

On motion of Senator Mann, Senate File 321, a bill for an act relating to the designation of persons to accept bond money and securities, was taken up for consideration.

Senator Colton took the chair at 10:40 a.m.

Senator Mann asked and received unanimous consent that House File 415 be substituted for Senate File 321.

House File 415

On motion of Senator Mann, House File 415, a bill for an act relating to the designation of persons to accept bond money and securities, 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. 415) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hannon	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.

WITHDRAWN

Senator Mann asked and received unanimous consent that Senate File 321 be withdrawn from further consideration of the Senate.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 186.

Senate File 186

On motion of Senator Vande Hoef, Senate File 186, a bill for an act to prohibit the shooting of a shotgun with rifled slugs over public highways of the state, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3186 filed by him on March 1, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3186 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 186** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 326.

Senate File 326

On motion of Senator Waldstein, Senate File 326, a bill for an act relating to the selection of official newspapers, 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?" (S.F. 326) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz

Taylor
Welsh

Tieden

Waldstein

Wells

Nays, 4:

Gettings

Husak

Hutchins

Priebe

Absent or not voting, 1:

Vande Hoef

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 4, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 241, a bill for an act relating to membership on the interagency coordinating council on radiation safety.

ALSO: That the House has on March 4, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 341, a bill for an act requiring the state building code commissioner to adopt a minimum energy efficiency standard for new single-family or two-family residential construction.

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

INTRODUCTION OF BILL

Senate File 386, by Gratias, a bill for an act relating to child visitation rights.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 11:15 a.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN RIGHTS

Convened: March 5, 1985, 8:40 a.m.

Members Present: Colton, Chair; Neighbour, Vice Chair and A. Miller.

Members Absent: Readinger, Ranking Member and Rife.

Committee Business: Subcommittee approved and submitted block grant appropriations bill to the full Appropriations committee.

Adjourned: 8:55 a.m.

AGRICULTURE

Convened: March 5, 1985, 9:35 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Vande Hoef and Waldstein (arrived 9:40 a.m.).

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; approved SSBs 195 and 266 as committee bills; reported Senate File 281 to the Senate calendar.

Adjourned: 9:52 a.m.

APPROPRIATIONS

Convened: March 5, 1985, 1:08 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Deluhery, C. Miller, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Lind and Gentleman.

Members Absent: Horn, Dieleman (excused), Husak, Readinger and Schwengels.

Committee Business: Assigned bills to subcommittees; reported Senate File 365 as amended to the Senate calendar.

Adjourned: 1:28 p.m.

COMMERCE

Convened: March 5, 1985, 8:05 a.m.

Members Present: Kinley, Chair; Holden, Ranking Member; Gronstal (arrived 8:10 a.m.), Hutchins (arrived 8:10 a.m.), Jensen, Nystrom, Priebe and Tieden.

Members Absent: Deluhery, Vice Chair and Palmer.

Committee Business: Assigned bills to subcommittees; reported House File 41 as amended to the Senate calendar.

Adjourned: 8:11 a.m.

EDUCATION

Convened: March 5, 1985, 1:32 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:37 p.m.

HUMAN RESOURCES

Convened: March 5, 1985, 8:06 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Taylor, Hannon, Murphy, Readinger, C. Miller, Vande Hoef, Coleman and Gratias.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; deferred action on SSB 240; SSB 107 ordered redrafted as amended as a committee bill.

Adjourned: 8:53 a.m.

JUDICIARY

Convened: March 5, 1985, 10:30 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; SSBs 168 and 232 ordered redrafted as amended as committee bills.

Adjourned: 11:35 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 5, 1985, 9:36 a.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 105 and 168 as committee bills.

Adjourned: 10:18 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 5, 1985, 5:50 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Hultman, Rife, Wells and Welsh.

Members Absent: Holden.

Committee Business: Approved SSB 216 as a committee bill.

Adjourned: 5:58 p.m.

LOCAL GOVERNMENT

Convened: March 5, 1985, 10:33 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells.

Members Absent: Neighbour.

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:36 a.m.

TRANSPORTATION

Convened: March 5, 1985, 1:30 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member (arrived 1:50 p.m.); Doyle, Gettings, Goodwin, Jensen and A. Miller.

Members Absent: Kinley and Nystrom.

Committee Business: Assigned bills to subcommittees; approved SSBs 244, 246 and 273 as committee bills; reported Senate Files 227, 307 and Senate Concurrent Resolution 19 to the Senate calendar; reported Senate File 9 as amended to the Senate calendar.

Adjourned: 2:00 p.m.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 1, 1985.

Had I been present, I would have voted "aye" on Senate Files 290, 303, amendments S—3168 and S—3184 to Senate File 329 and final passage of Senate File 329. I would have voted "nay" on Senate File 259.

I was also necessarily absent from the Senate chamber on March 5, 1985, when the final vote was taken on House File 70.

Had I been present, I would have voted "aye".

BEVERLY A. HANNON

ANNOUNCEMENTS BY THE PRESIDENT OF THE SENATE

President Anderson announced the following appointments:

IOWA JOBS COMMISSION
(Senate File 548, 1983 Session)

Senator Larry Murphy—To fill unexpired term ending June 30, 1985.

IOWA COMMISSION ON INTERSTATE COOPERATION
(Sec. 28B.1, Code of Iowa)

Senator Hurley Hall
Senator Bev Hannon
Senator John Neighbour
Senator Jack Hester
Senator Ray Taylor

Terms expire February 1, 1987.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 5, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 15—Relating to the designation of the Grand River.

S.F. 77—Requiring that the first day of school not be sooner than the first day of September except under certain conditions and providing an effective date.

S.F. 128—Relating to the use of certain funds for the elimination of asbestos from school buildings.

S.F. 163—Relating to the authority of the Department of Water, Air and Waste Management to regulate water use and embodying a general plan of water allocation priorities for this state.

COMMITTEE REPORT

LABOR & INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 385 (SSB 216), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Mann, Gettings, Colton, Deluhery, Wells and Welsh. Nays, 3: Jensen, Hultman and Rife. Absent or not voting, 1: Holden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3200	S. F.	364	Tom Mann, Jr. Michael E. Gronstal Larry Murphy David M. Readinger Thomas A. Lind C. Joseph Coleman Norman G. Rodgers Alvin V. Miller John A. Neighbour Don E. Gettings
S—3201	H.F.	183	Lowell L. Junkins Joe J. Welsh Bill Hutchins Leonard L. Boswell Larry Murphy Norman Rodgers Emil Husak John Jensen Thomas A. Lind Milo Colton Don E. Gettings C. Joseph Coleman Wally Horn Charles P. Miller James D. Wells William W. Dieleman Berl E. Priebe
S—3202	S. F.	383	Calvin O. Hultman George R. Kinley
S—3203	S. F.	364	Thomas Mann, Jr.
S—3204	S. F.	364	Ray Taylor

AFTERNOON SESSION

The Senate reconvened at 1:05 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 32 present, 18 absent and a quorum present.

INTRODUCTION OF BILLS

Senate File 387, by Committee on Transportation, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person.

Read first time and placed on calendar.

Senate File 388, by Miller of Dés Moines, a bill for an act relating to the imposition of a local option dog tax by voter referendum.

Read first time and passed on file.

Senate File 389, by Miller of Des Moines, Drake and Gronstal, a bill for an act to license auctioneers, apprentice auctioneers, auction companies, clerks and cashiers and providing penalties.

Read first time and passed on file.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 81.

Senate File 81

On motion of Senator Priebe, Senate File 81, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle, 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. 81) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Priebe	Rife	Ritsema
Rodgers	Small	Tieden	Waldstein
Wells	Welsh		

Nays, 1:

Dieleman

Absent or not voting, 11:

Drake	Holden	Hultman	Jensen
Kinley	Palmer	Readinger	Schwengels
Soorholtz	Taylor	Vande Hoef	

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

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 19.

Senate Concurrent Resolution 19

On motion of Senator Gettings, Senate Concurrent Resolution 19, a resolution relating to the National Railroad Passenger Corporation, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved the adoption of Senate Concurrent Resolution 19, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 9.

Senate File 9

On motion of Senator Boswell, Senate File 9, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—3195 filed by the committee on Transportation on March 5, 1985, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3195 was adopted by a voice vote.

With the adoption of amendment S—3195, the chair ruled the following amendments out of order:

S—3173 filed by the committee on Transportation on February 28, 1985, to page 1 of the bill.

S—3023 filed by Senator Boswell on January 23, 1985, to page 1 of the bill.

Senator Boswell moved that the bill be read the last time now and placed upon 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. 9) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 4:

Gentleman	Miller, C.P.	Ritsema	Waldstein
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Absent or not voting, 4:

Drake	Kinley	Schwengels	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 for consideration Senate File 227.

Senate File 227

On motion of Senator Jensen, Senate File 227, a bill for an act relating to the registration of special trucks, with report of committee recommending passage, was taken up for consideration.

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. 227) the vote was:

Ayes, 39:

Boswell	Brown	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Miller, A.V.
Neighbour	Nystrom	Priebe	Readinger

Rife
Soorholtz
Waldstein

Ritsema
Taylor
Wells

Rodgers
Tieden
Welsh

Small
Vande Hoef

Nays, 9:

Bruner
Holden
Palmer

Carr
Mann

Gentleman
Miller, C.P.

Gronstal
Murphy

Absent or not voting, 2:

Kinley

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 364

The Senate resumed consideration of Senate File 364, previously deferred.

Senator Mann offered amendment S—3200 filed by Senators Mann, et al., from the floor to page 2 of the bill.

Senator Small offered amendment S—3205 filed by him from the floor to amendment S—3200 and moved its adoption.

Amendment S—3205 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that further action on amendment S—3200 as amended be deferred for consideration of amendments S—3204 and S—3203, respectively.

Senator Taylor offered amendment S—3204 filed by him from the floor to page 3 of the bill and called for a division of the amendment:

Division S—3204A; page 1, lines 35 through 44.

Division S—3204B; page 1, lines 4 through 34 and lines 45 through 50; and page 2.

The Chair ruled amendment S—3204 not divisible.

Senator Taylor asked and received unanimous consent that action on amendment S—3204 be deferred.

Senator Mann offered amendment S—3203 filed by him from the floor to page 2 of the bill.

Senator Junkins asked and received unanimous consent that action on **Senate File 364** and amendments S—3200, S—3204 and S—3203 be deferred.

BUSINESS PENDING

Senate File 296

The Senate resumed consideration of Senate File 296, previously deferred.

Senator Deluhery offered amendment S—3148 filed by the committee on Commerce on February 20, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3148 was adopted by a voice vote.

Senator Welsh took the chair at 2:55 p.m.

Senator Deluhery offered amendment S—3208 filed by Senators Deluhery and Holden from the floor to pages 1, 2, 3, 4, 6, 7, 8 and 14 of the bill and moved its adoption.

Amendment S—3208 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. 296) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak

Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Tieden

Absent or not voting, 1:

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 364

The Senate resumed consideration of Senate File 364, and amendments S—3200, S—3204 and S—3203, previously deferred.

Senator Taylor withdrew amendment S—3209 filed by him from the floor to amendment S—3204.

Senator Taylor offered amendment S—3211 filed by him from the floor to amendment S—3204 and moved its adoption.

A non record roll call was requested.

The ayes were 43, nays 0.

Amendment S—3211 was adopted.

Senator Mann raised the point of order that amendment S—3204 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3204 as amended in order.

Senator Taylor moved the adoption of amendment S—3204 as amended.

A record roll call was requested.

On the question "Shall amendment S—3204 as amended be adopted?" (S.F. 364) the vote was:

Ayes, 13:

Goodwin	Gratias	Hester	Holden
Holt	Hultman	Jensen	Lind
Rife	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 34:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Ritsema	Rodgers	Small	Soorholtz
Wells	Welsh		

Absent or not voting, 3:

Drake	Nystrom	Schwengels
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Amendment S—3204 as amended lost.

Senator Brown offered amendment S—3210 filed by Senators Welsh and Brown from the floor to pages 1 through 3 of the bill.

Senator Husak took the chair at 3:25 p.m.

Senator Mann offered amendment S—3212 filed by him from the floor to amendment S—3210 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3212 to S—3210 be adopted?" (S.F. 364) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rodgers	Wells	Welsh

Nays, 22:

Corning	Drake	Gentleman	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hultman	Jensen	Lind
Nystrom	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Amendment S—3212 was adopted.

Senator Mann called for a division of amendment S—3210 as amended: page 3, lines 3 through 40 as division S—3210A; page 1, lines 2 through 50, page 2 and page 3, lines 1 and 2 as division S—3210B.

Senator Mann raised the point of order that division S—3210A was not germane to the bill.

The Chair ruled the point not well taken and division S—3210A in order.

The Senate stood at ease for the purpose of a party caucus until the fall of the gavel.

The Senate resumed session, Senator Husak presiding.

QUORUM CALL

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

The vote revealed 49 present, 1 absent and a quorum present.

Senator Coleman took the chair at 5:00 p.m.

BUSINESS PENDING

Senate File 364

The Senate resumed consideration of Senate File 364 and divisions S—3210A and S—3210B.

Senator Brown moved the adoption of division S—3210A.

A record roll call was requested.

On the question "Shall division S—3210A be adopted?" (S.F. 364) the vote was:

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

Ayes, 26:

Brown	Corning	Dieleman	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Husak
Hutchins	Jensen	Lind	Miller, C.P.
Rife	Ritsema	Rodgers	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, 20:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Gettings	Gronstal
Hannon	Horn	Junkins	Kinley
Mann	Miller, A.V.	Murphy	Neighbour
Palmer	Priebe	Readinger	Small

Absent or not voting, 4:

Doyle	Drake	Nystrom	Wells
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Division S—3210A was adopted.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Doyle and Wells for the remainder of the afternoon on request of Senator Hutchins; Senator Nystrom for the remainder of the afternoon on request of Senator Hultman.

BUSINESS PENDING

Senate File 364

The Senate resumed consideration of Senate File 364 and division S—3210B.

Senator Murphy offered amendment S—3216 filed by Senators Murphy and Small from the floor to division S—3210B and moved its adoption.

Amendment S—3216 was adopted by a voice vote.

Senator Welsh moved the adoption of division S—3210B as amended.

A record roll call was requested.

On the question "Shall division S—3210B as amended be adopted?" (S.F. 364) the vote was:

Ayes, 29:

Boswell	Brown	Corning	Dieleman
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hultman
Husak	Hutchins	Jensen	Lind
Miller, A.V.	Murphy	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Nays, 18:

Bruner	Carr	Coleman	Colton
Deluhery	Drake	Gettings	Gronstal
Hannon	Horn	Junkins	Kinley
Mann	Miller, C.P.	Neighbour	Palmer
Priebe	Readinger		

Absent or not voting, 3:

Doyle	Nystrom	Wells
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Division S—3210B as amended was adopted.

With the adoption of divisions S—3210A and S—3210B, the Chair ruled the following amendments out of order:

S—3200 as amended to page 2 of the bill, previously deferred.

S—3217 filed by Senators Murphy and Small from the floor to page 1 of the bill.

S—3206 filed by Senator Gratias from the floor to page 2 and to the title page of the bill.

S—3203 to page 2 of the bill, previously deferred.

Senator Hultman offered amendment S—3214 filed by him from the floor to page 1 of the bill.

Senator Mann raised the point of order that with the adoption of division S—3210B as amended, amendment S—3214 was out of order.

The Chair ruled the point well taken and amendment S—3214 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?” (S.F. 364) the vote was:

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

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Readinger	Rodgers
Small	Welsh		

Nays, 21:

Cornig	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Jensen
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 3:

Doyle	Nystrom	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.

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 4, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 308, a bill for an act relating to clinical privileges of certain licensed practitioners.

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

INTRODUCTION OF BILLS

Senate File 390, by Corning, a bill for an act related to the licensing of marital and family therapists and providing an effective date.

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

Senate File 391, by Committee on Transportation, a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards.

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

Senate File 392, by Committee on Transportation, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy.

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

Senate File 393, by Waldstein, a bill for an act relating to the fee for transferring real estate by the county auditor.

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

Senate File 394, by Committee on Ways and Means, a bill for an act relating to the payment of fuel taxes and sales, services, and use taxes and to the filing of sales, services, and use tax returns, and subjecting violators to a penalty.

Read first time and **placed on Ways and Means Calendar**.

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Junkins, a resolution relating to the extension of the federal Supplemental Compensation Program.

Read first time and passed on file.

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

The Senate resumed session, Senator Brown presiding.

INTRODUCTION OF BILL

Senate File 395, by Committee on Ways and Means, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

Read first time and placed on Ways and Means Calendar.

APPENDIX**COMMITTEE REPORTS****TRANSPORTATION**

Final Bill Action: SENATE FILE 387 (SSB 273), a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 2: Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 391 (SSB 244), a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 3: Drake, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 392 (SSB 246), a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 3: Drake, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 394 (SSB 191), a bill for an act relating to the payment of fuel taxes and sales, services, and use taxes and to the filing of sales, services, and use tax returns, and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Boswell, Bruner, Dieleman, Gronstal, Holt, Readinger, Rodgers and Soorholtz. Nays, 2: Hester and Holden. Absent or not voting, 3: Gratias, Brown and Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 395 (SSB 293), a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Tuesday afternoon, March 5, 1985, because I was attending a funeral.

Had I been present, I would have voted "aye" on Senate Files 85, 120, 157, 183, 209, 216, 245, 315, 328, 331, 355, 366 and House File 70. I would have voted "nay" on Senate Files 32 and 274.

WILLIAM W. DIELEMAN

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 29 passed the Senate on March 6, 1985.

JULIA GENTLEMAN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3186 to Senate File 186 was adopted by the Senate on March 6, 1985.

C. JOSEPH COLEMAN

SENATE STUDY BILLS**SSB 288 Natural Resources**

Relating to the officers of the state conservation commission.

SSB 289 Judiciary

Relating to garnished accounts of supervised financial organizations.

SSB 290 Commerce

Relating to joint exercise of powers by public agencies for public works and facilities.

SSB 291 Commerce

Providing for direct reimbursement for any service which is authorized within the practice of the profession of a registered nurse.

SSB 292 Judiciary

To legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken.

SSB 293 Ways and Means

Relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax and relating to other taxes.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	7	State Government
S. F.	382	Ways and Means
S. F.	384	Ways and Means
H. F.	170	Judiciary
H. F.	292	Appropriations
H. F.	378	Transportation
H. F.	395	Commerce
H. F.	414	Natural Resources
H. F.	419	Judiciary

ASSIGNMENT OF BILL

The President announced the assignment of **Senate File 310** from the committee on **Local Government** to the committee on **Ways and Means** pursuant to Senate Rule 38.

PRESENTATION OF VISITORS

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

Twenty-six residents of Kossuth and Humboldt Counties including foreign exchange students from seven nations. Senator Priebe.

The Chair welcomed the Honorable Richard Comito, former member of the Senate from Black Hawk County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3205	S. F.	364	Arthur A. Small, Jr.
S—3206	S. F.	364	Arthur L. Gratias
S—3207	S. F.	104	Ray Taylor James D. Wells Berl E. Priebe
S—3208	S. F.	296	Patrick J. Deluhery Edgar H. Holden
S—3209	S. F.	364	Ray Taylor
S—3210	S. F.	364	Joe J. Welsh Joe Brown
S—3211	S. F.	364	Ray Taylor
S—3212	S. F.	364	Tom Mann, Jr.
S—3213	S. F.	237	Edgar H. Holden
S—3214	S. F.	364	Calvin O. Hultman
S—3215	H. F.	183	Hurley Hall
S—3216	S. F.	364	Larry Murphy Arthur A. Small, Jr.
S—3217	S. F.	364	Larry Murphy Arthur A. Small, Jr.

ADJOURNMENT

On motion of Senator Palmer, the Senate adjourned at 6:17 p.m., until 9:00 a.m., Thursday, March 7, 1985.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 7, 1985

The Senate met in regular session at 9:18 a.m., President Anderson presiding.

Prayer was offered by the Reverend Karen Chakoian, pastor of the Central Presbyterian Church, Des Moines, Iowa.

The Journal of Wednesday, March 6, 1985, was approved.

INTRODUCTION OF BILL

Senate File 396, by Welsh, Gettings, Corning, Wells, Tieden, Hall, Readinger, Miller of Des Moines, Bruner and Jensen, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Wells and Doyle for the remainder of the week on request of Senator Hutchins.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 395** be referred from the Ways and Means Calendar to the committee on State Government.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:35 a.m., until 12:00 noon.

RECONVENED

The Senate reconvened at 12:06 p.m., Senator Colton presiding.

INTRODUCTION OF BILLS

Senate File 397, by Committee on Education, a bill for an act to require drivers of certain school buses to wear seat belts when the school bus is in motion and providing a penalty.

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

Senate File 398, by Murphy, a bill for an act relating to school reorganization.

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

Senate File 399, by Committee on Natural Resources, a bill for an act providing implied consent chemical testing for persons operating vessels on the waters of the state while intoxicated or operating snowmobiles while intoxicated and providing a penalty.

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

Senate File 400, by Committee on Education, a bill for an act relating to a violation for failure to yield to or illegally passing a school bus.

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

Senate File 401, by Committee on Judiciary, a bill for an act relating to the harboring of a runaway child 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 Rife presiding.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than

five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Gentleman, Horn, Mann, C. Miller and Welsh. Nays, 2: Rife and Schwengels. Absent or not voting, 2: Nystrom and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that Senate File 395 be referred from the Ways and Means Calendar to the committee on Appropriations.

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 March 4, 1985, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 87, a bill for an act relating to the procedure for adding moneys in a school district's budget for moneys collected under section 302.3, Code 1981, and removing those moneys from the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985, and succeeding school years.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:15 p.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE & TRANSPORTATION

Convened: March 6, 1985, 8:25 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member and Holden.

Members Absent: Priebe.

Committee Business: Subcommittee approved and submitted proposed Business, Trade & Transportation appropriations bill to the full Appropriations Committee.

Adjourned: 8:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 6, 1985, 12:05 p.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Committee Business: Budget recommendations for: County Confinement, Law Enforcement Academy Council, Department of Public Safety—Victim Compensation, Domestic Abuse Registry, Missing Children's Clearinghouse, Iowa State Highway Patrol, and reconsidered Department of Justice—Attorney General.

Adjourned: 1:10 p.m.

ENERGY & ENVIRONMENT

Convened: March 6, 1985, 8:35 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, A. Miller, Gronstal, Soorholtz, Rife and Hultman.

Members Absent: Carr (excused).

Committee Business: Review of SSB 227 and amendment.

Adjourned: 9:00 a.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 397 (SSB 276), a bill for an act to require drivers of certain school buses to wear seat belts when the school bus is in motion and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 400 (SSB 260), a bill for an act relating to a violation for failure to yield to or illegally passing a school bus.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Gratias, Corning, Hannon, Murphy, Taylor and Wells. Nays, 3: Horn, Colton and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 401 (SSB 232), a bill for an act relating to the harboring of a runaway child and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Mann, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, 2: Ritsema and Gentleman. Absent or not voting, 2: Doyle and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 399 (SSB 152), a bill for an act providing implied consent chemical testing for persons operating vessels on the waters of the state while intoxicated or operating snowmobiles while intoxicated and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Hannon, Husak, Neighbour, Schwengels and Tieden. Nays, none. Absent or not voting, 3: Hester, Gratias and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Fifth grade students from West Marshall School, State Center, Iowa, accompanied by Mrs. Maxwell and Mrs. Eddy. Senator Soorholtz.

AMENDMENTS FILED

S-3218	S. F.	383	Tom Mann, Jr.
S-3219	S. F.	395	Jack Rife
S-3220	S. F.	395	Norman G. Rodgers C. Joseph Coleman
S-3221	S. F.	395	Norman G. Rodgers C. Joseph Coleman

AFTERNOON SESSION

The Senate reconvened at 2:31 p.m., President Anderson presiding.

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.

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, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 210, a bill for an act relating to the weighting per pupil for shared programs of school districts.

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

The Senate stood at ease for the purpose of a party caucus until the fall of the gavel.

The Senate resumed session, President Anderson presiding.

INTRODUCTION OF BILL

Senate File 402, by Priebe, a bill for an act permitting the deduction for state income tax purposes of the amount of foregone interest on a below-market loan made to a person actively engaged in farming or operating a small business if the purpose of the loan is to refinance a previous agricultural or small business loan.

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 42 present, 8 absent and a quorum present.

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 6, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 451, a bill for an act relating to child protection and providing penalties.

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

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Welsh, Small, Tieden, C. Miller, Gettings, Colton, Murphy, Husak, Holt, Ritsema and Readinger. Nays, none. Absent or not voting, 7: Horn, Deluhery, Dieleman, Gronstal, Gentleman, Schwengels and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Ways & Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 395.

Senate File 395

On motion of Senator Palmer, Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, with reports of committees on State Government and Appropriations recommending passage, was taken up for consideration.

Senator Taylor offered amendment S—3229 filed by Senators Taylor and Dieleman from the floor to pages 1 through 38, 47, 53, 54 and the title page of the bill.

Senator Drake raised the point of order that amendment S—3229 was not germane to the bill.

Senator Drake withdrew his point of order.

Senator Taylor called for a division of amendment S—3229:

Division S—3229A: Page 1, lines 2 and 3 and lines 32 and 33.

Division S—3229B: Page 1, lines 4 through 13 and lines 34 through 50; page 2, lines 1 through 22.

Division S—3229C: Page 1, lines 14 through 31 and page 2, lines 23 through 25.

Senator Taylor asked and received unanimous consent that action on division S—3229A be deferred.

Senator Taylor asked and received unanimous consent to withdraw division S—3229B.

Senator Taylor moved the adoption of division S—3229C and requested a record roll call.

On the question "Shall division S—3229C be adopted?" (S.F. 395) the vote was:

Ayes, 18:

Coleman	Colton	Dieleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Jensen	Kinley	Miller, A.V.
Neighbour	Priebe	Rife	Schwengels
Taylor	Vande Hoef		

Nays, 29:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Drake	Gentleman
Gronstal	Holden	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Lind	Miller, C.P.	Murphy	Nystrom
Palmer	Readinger	Ritsema	Rodgers
Small	Soorholtz	Tieden	Waldstein
Welsh			

Absent or not voting, 3:

Doyle	Mann	Wells
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Division S—3229C lost.

Senator Taylor moved the adoption of division S—3229A, previously deferred.

A record roll call was requested.

On the question "Shall division S—3229A be adopted?" (S.F. 395) the vote was:

Ayes, 12:

Boswell	Dieleman	Goodwin	Gratias
Hester	Holden	Jensen	Neighbour
Schwengels	Small	Taylor	Vande Hoef

Nays, 36:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Drake
Gentleman	Gettings	Gronstal	Hall
Hannon	Holt	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Soorholtz	Tieden	Waldstein	Welsh

Absent or not voting, 2:

Doyle	Wells
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Division S—3229A lost.

Senator Rodgers asked and received unanimous consent to withdraw amendments S—3220 and S—3221 filed by Senators Rodgers and Coleman from the floor to pages 8 and 9 of the bill.

Senator Murphy offered amendment S—3223 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—3223 was adopted by a voice vote.

Senator Junkins offered amendment S—3222 filed by Senators Junkins and Palmer from the floor to pages 22, 40 and 50 of the bill and moved its adoption.

Amendment S—3222 was adopted by a voice vote.

Senator Drake offered amendment S—3234 filed by him from the floor to pages 37, 38 and 41 through 44 of the bill.

Senator Drake offered amendment S—3238 filed by him from the floor to amendment S—3234 and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 26.

Amendment S—3238 lost.

Senator Drake moved the adoption of amendment S—3234, which motion prevailed by a voice vote.

Senator Nystrom asked and received unanimous consent to withdraw amendments S—3230 and S—3231 filed by Senators Nystrom and Hall to page 42 of the bill.

Senator Dieleman offered amendment S—3228 filed by him from the floor to page 38 and to the title page of the bill.

Senator Readinger raised the point of order that amendment S—3228 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3228 out of order.

Senator Priebe offered amendment S—3237 filed by him from the floor to page 38 and 47 of the bill and moved its adoption.

Amendment S—3237 was adopted by a voice vote.

With the adoption of amendment S—3237, the Chair ruled amendment S—3219 filed by Senator Rife from the floor to pages 39 through 42 and 46 through 50 of the bill, out of order.

Senator Gronstal offered amendment S—3225 filed by him from the floor to pages 39, 41, 46 and 50 of the bill.

Senator Holden asked and received unanimous consent that further action on amendment S—3225 be deferred for preparation of an amendment.

Senator Readinger offered amendment S—3233 filed by him from the floor to page 43 of the bill and moved its adoption.

Amendment S—3233 was adopted by a voice vote.

Senator Colton took the chair at 5:20 p.m.

Senator Tieden offered amendment S—3227 filed by him from the floor to page 47 of the bill and moved its adoption.

Amendment S—3227 was adopted by a voice vote.

President Anderson took the chair at 5:25 p.m.

Senator Murphy offered amendment S—3235 filed by him from the floor to pages 49 and 50 of the bill and moved its adoption.

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

A non record roll call was requested.

The ayes were 23, nays 25.

Amendment S—3235 lost.

With the adoption of amendment S—3234, the Chair ruled amendment S—3240 filed by Senator Taylor from the floor to pages 39 through 42 and 44 through 46 of the bill, out of order.

Senator Welsh offered amendment S—3239 filed by him from the floor to page 50 of the bill and moved its adoption.

Amendment S—3239 was adopted by a voice vote.

Senator Drake offered amendment S—3224 filed by him from the floor to page 54 of the bill.

Senator Drake asked and received unanimous consent that action on amendment S—3224 be deferred.

Senator Vande Hoef offered amendment S—3241 filed by him from the floor to pages 39 through 42 and 50 of the bill.

Senator Colton raised the point of order that amendment S—3241 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3241 out of order.

Senator Kinley offered amendment S—3242 filed by Senators Kinley, Horn and Soorholtz from the floor to pages 7, 8, 9, 21, 29 and 54 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 33.

Amendment S—3242 lost.

Senator Brown took the chair at 6:25 p.m.

Senator Drake moved the adoption of amendment S—3224 to page 54 of the bill, previously deferred, which motion prevailed by a voice vote.

Senator Gronstal moved the adoption of amendment S—3225 to pages 39, 41, 46 and 50 of the bill, previously deferred.

A non record roll call was requested.

The ayes were 31, nays 16.

Amendment S—3225 was adopted.

With the adoption of amendment S—3225, the chair ruled the following amendments out of order:

S—3243 filed by Senator Holden from the floor to pages 39, 41, 42, 43 and 46 of the bill.

S—3244 filed by Senator Rife from the floor to pages 39 through 42 and 46 through 50 of the bill.

Senator Gentleman offered amendment S—3245 filed by her from the floor to page 31 of the bill.

A non record roll call was requested.

The ayes were 11, nays 36.

Amendment S—3245 lost.

Senator Taylor raised the point of order that amendment S—3240 previously ruled out of order, was eligible for consideration.

The Chair ruled the point well taken.

Senator Taylor offered amendment S—3240 filed by him from the floor to pages 39 through 42 and 44 through 46 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3240 be adopted?" (S.F. 395) the vote was:

Ayes, 15:

Deluhery	Dieleman	Goodwin	Gratias
Hall	Holt	Jensen	Kinley
Miller, A. V.	Priebe	Rife	Schwengels
Taylor	Vande Hoef	Waldstein	

Nays, 31:

Boswell	Brown	Bruner	Carr
Colton	Corning	Drake	Gentleman
Gettings	Gronstal	Hannon	Hester
Holder	Horn	Hultman	Husak
Hutchins	Junkins	Lind	Mann
Miller, C.P.	Murphy	Neighbour	Palmer
Readinger	Ritsema	Rodgers	Small
Soorholtz	Tieden	Welsh	

Absent or not voting, 4:

Coleman	Doyle	Nystrom	Wells
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Amendment S—3240 lost.

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?" (S.F. 395) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Corning
Deluhery	Drake	Gentleman	Goodwin
Gronstal	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, C.P.	Murphy
Neighbour	Palmer	Readinger	Ritsema
Rodgers	Small	Soorholtz	Tieden
Waldstein	Welsh		

Nays, 13:

Carr	Coleman	Colton	Dieleman
Gettings	Gratias	Hall	Miller, A. V.
Priebe	Rife	Schwengels	Taylor
Vande Hoef			

Absent or not voting, 3:

Doyle

Nystrom

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 Senate File 395 passed the Senate on March 7, 1985.

LOWELL L. JUNKINS

INTRODUCTION OF BILLS

Senate File 403, by Committee on Education, a bill for an act relating to the enrollment of certain pupils in contiguous school districts upon the request of the parent or guardian and providing that the Act takes effect for the school year commencing July 1, 1985.

Read first time and placed on calendar.

Senate File 404, by Committee on Agriculture, a bill for an act relating to drainage and drainage districts.

Read first time and placed on calendar.

Senate File 405, by Committee on Agriculture, a bill for an act relating to the department of water, air and waste management over the activities of drainage districts.

Read first time and placed on calendar.

Senate File 406, by Committee on Local Government, a bill for an act relating to the destruction of noxious weeds and providing a penalty.

Read first time and placed on calendar.

Senate File 407, by Committee on State Government, a bill for an act relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date.

Read first time and placed on calendar.

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 363, a bill for an act relating to the sale of seed corn and providing a penalty.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 8: Priebe, A. Miller, Boswell, Hester, Husak, Palmer, Soorholtz and Vande Hoef. Nays, 1: Hutchins. Voting present, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 404 (SSB 195), a bill for an act relating to drainage and drainage districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, A. Miller, Boswell, Hester, Husak, Hutchins, Soorholtz, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 405 (SSB 266), a bill for an act relating to the authority of the department of water, air and waste management over the activities of drainage districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, A. Miller, Boswell, Hester, Husak, Hutchins, Soorholtz, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 319, a bill for an act relating to the establishment of the vocational education council and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3232.

Final Vote: Ayes, 7: Brown, Gratias, Colton, Corning, Hannon, Murphy and Taylor. Nays, 2: Horn and Lind. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 403 (SSB 237), a bill for an act relating to the enrollment of certain pupils in contiguous school districts upon the request of the parent or guardian and providing that the Act takes effect for the school year commencing July 1, 1985.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Horn, Colton, Corning, Lind, Murphy and Wells. Nays, 3: Gratias, Hannon and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 184, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3236.

Final Vote: Ayes, 6: A. Miller, C. Miller, Waldstein, Lind, Neighbour and Priebe. Nays, 2: Hall and Vande Hoef. Absent or not voting, 2: Goodwin and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 261, a bill for an act relating to the residence of township officers.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, C. Miller, Waldstein, Hall, Neighbour, Priebe and Vande Hoef. Nays, 1: Lind. Absent or not voting, 2: Goodwin and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 406 (SSB 225), a bill for an act relating to the destruction of noxious weeds and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: A. Miller, C. Miller, Waldstein, Lind, Neighbour, Priebe and Vande Hoef. Nays, 1: Hall. Absent or not voting, 2: Goodwin and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 311, a bill for an act to provide that demolition contracts are public improvements.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, C. Miller, Waldstein, Hall, Lind, Neighbour, Priebe and Vande Hoef. Nays, none. Absent or not voting, 2: Goodwin and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 236, a bill for an act to repeal the fifty percent of sales requirement for Sunday beer and liquor sales.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh. Nays, none. Absent or not voting, 3: Dieleman, Nystrom and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 407 (SSB 44), a bill for an act for the licensing of real estate brokers and real estate salespersons and providing for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 2: Dieleman and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 159, a bill for an act eliminating penalties for registrations of snowmobiles which have not been registered for two subsequent registration periods.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Gettings, Goodwin, Jensen, A. Miller and Nystrom. Nays, none. Absent or not voting, 2: Doyle and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 313, a bill for an act allowing certain truck tractors to be registered as special trucks.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Gettings, Goodwin, Jensen, A. Miller and Nystrom. Nays, none. Absent or not voting, 2: Doyle and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 356, a bill for an act allowing the state department of transportation to issue a certificate of title for a vehicle when the previous title was surrendered for a junking certificate due to mistake of inadvertence.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Gettings, Goodwin, Jensen, A. Miller and Nystrom. Nays, none. Absent or not voting, 2: Doyle and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 7th day of March, 1985:

Senate Files 113 and 241.

K. MARIE THAYER
Secretary of the Senate

SENATE STUDY BILLS

SSB 294 Judiciary

Relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

SSB 295 Agriculture

Relating to the financial requirements of grain dealers.

SSB 296 Agriculture

Relating to the type of financial statement that must be filed with the state commerce commission by a grain dealer with a class 1 license.

SSB 297 State Government

Relating to the makeup of the board of nursing examiners.

SSB 298 Commerce

Permitting the amendment of a filing statement under the uniform commercial code signed by only the secured party if the amendment is filed to show a change of the name of the secured party.

SSB 299 Commerce

Relating to consumer liability for unauthorized electronic fund transfers involving the consumer's account.

SSB 300 Small Business & Economic Development

Providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in the

Iowa venture capital fund and the earning on the proceeds prior to investment to be used as prizes.

SSB 301 Commerce

Relating to affiliates of state banks.

SSB 302 Local Government

Relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

SSB 303 Local Government

Relating to the establishment and the regulation of vehicular traffic within rural residence districts, making penalties applicable.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	386	Judiciary
S. F.	388	Local Government
S. F.	389	State Government
S. F.	390	State Government
S. F.	393	Local Government
H.F.	308	Human Resources
H.F.	341	Energy & Environment

PRESENTATION OF VISITORS

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

A group of John Deere retirees from Ottumwa, Iowa. Senator Gettings.

Twenty-five tenth grade students from Valley High School, Elgin, Iowa, accompanied by Linda and Bob Fedler. Senator Murphy.

Thirty-nine eleventh grade students from Leo High School, Holy Cross, Iowa, accompanied by John Kohlstedt, Cy Elsinger, Carol Sigwarth, Richard Menadue and Delbert Brecht. Senator Welsh.

AMENDMENTS FILED

S-3222	S. F.	395	Lowell L. Junkins William D. Palmer
S-3223	S. F.	395	Larry Murphy
S-3224	S. F.	395	Richard F. Drake
S-3225	S. F.	395	Michael E. Gronstal
S-3226	S. F.	307	Bill Hutchins
S-3227	S. F.	395	Dale L. Tieden
S-3228	S. F.	395	William W. Dieleman
S-3229	S. F.	395	Ray Taylor William W. Dieleman
S-3230	S. F.	395	John N. Nystrom Hurley W. Hall
S-3231	S. F.	395	John N. Nystrom Hurley W. Hall
S-3232	S. F.	319	Education
S-3233	S. F.	395	David M. Readinger
S-3234	S. F.	395	Richard F. Drake
S-3235	S. F.	395	Larry Murphy
S-3236	S. F.	184	Local Government
S-3237	S. F.	395	Berl E. Priebe
S-3238	S. F.	395	Richard F. Drake
S-3239	S. F.	395	Joe J. Welsh
S-3240	S. F.	395	Ray Taylor
S-3241	S. F.	395	Richard Vande Hoef
S-3242	S. F.	395	George R. Kinley Wally E. Horn John Soorholtz
S-3243	S. F.	395	Edgar H. Holden
S-3244	S. F.	395	Jack W. Rife
S-3245	S. F.	395	Julia Gentleman

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 364 passed the Senate on March 6, 1985.

TOM MANN, JR.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 7:52 p.m., until 10:00 a.m., Friday, March 8, 1985.

JOURNAL OF THE SENATE

FIFTY-FOURTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 8, 1985

The Senate met in regular session at 10:04 a.m., President Anderson presiding.

Prayer was offered by the Reverend Anne Baker, pastor of the Trinity Episcopal Church, Iowa City, Iowa.

The Journal of Thursday, March 7, 1985, was approved.

INTRODUCTION OF BILLS

Senate File 408, by Committee on Education, a bill for an act relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts.

Read first time and placed on calendar.

Senate File 409, by Junkins and Hultman, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication.

Read first time and passed on file.

Senate File 410, by Priebe, a bill for an act relating to the definition of communication services for purposes of the sales, services and use tax.

Read first time and passed on file.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 9.

Senate Resolution 9

On motion of Senator Junkins, Senate Resolution 9, a resolution relating to the extension of the federal Supplemental Compensation Program, was taken up for consideration.

Senator Junkins moved the adoption of Senate Resolution 9, which motion prevailed by a voice vote and the resolution was adopted.

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.

MOTION TO RECONSIDER WITHDRAWN

Senate File 364

Senator Mann withdrew the motion to reconsider Senate File 364, 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 March 7, 1985, and found on page 676 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order the following bills: Senate Files 361, 375, 376, 377, 378, 168, 281 and 307.

Senate File 361

On motion of Senator Murphy, Senate File 361, a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching loan for certain teachers, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 361) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Readinger	Rife
Rodgers	Schwengels	Small	Soorholtz
Taylor	Waldstein	Welsh	

Nays, 3:

Holden	Ritsema	Tieden
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Absent or not voting, 4:

Doyle	Priebe	Vande Hoef	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.

Senate File 375

On motion of Senator Small, Senate File 375, a bill for an act providing for forms of certain acknowledgements of conveyances of real estate, 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. 375) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin

Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Doyle	Horn	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.

Senate File 376

On motion of Senator Horn, Senate File 376, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204, 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. 376) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gentleman.	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 2:

Doyle

Wells

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

Senate File 377

On motion of Senator Holt, Senate File 377, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies, was taken up for consideration.

Senator Holt offered amendment S—3198 filed by him on March 5, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3198 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. 377) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensep	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 2:

Doyle

Wells

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

Senate File 378

On motion of Senator Mann, Senate File 378, a bill for an act relating to the share of the surviving spouse in intestate succession, 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. 378) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 2:

Doyle Wells

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

Senate File 168

On motion of Senator Hutchins, Senate File 168, a bill for an act relating to the time period when volunteer fire fighters are acting the course of employment for purposes of workers' compensation benefits, 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?" (S.F. 168) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 2:

Doyle Wells

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

Senate File 307

On motion of Senator Hutchins, Senate File 307, a bill for an act relating to the operation of fire vehicles and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—3226 filed by him on March 7, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3226 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. 307) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 2:

Doyle Wells

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 281

On motion of Senator Priebe, Senate File 281, a bill for an act relating to the creation of the Iowa export trading company, with report of committee recommending passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that **Senate File 281** be referred to the committee on **State Government** under **Senate Rule 38**.

UNFINISHED BUSINESS
(Deferred March 6, 1985)

Senate File 186

The Senate resumed consideration of Senate File 186, a bill for an act to prohibit the shooting of a shotgun with rifled slugs over public highways of the state, deferred on March 6, 1985.

Senator Coleman called up the motion to reconsider the vote by which amendment S—3186 to Senate File 186 was adopted by the Senate on March 6, 1985, filed by him on March 6, 1985, found on page 650 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3186 by Senator Vande Hoef to page 1 of the bill, was taken up for reconsideration.

Senator Vande Hoef withdrew amendment S—3186.

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. 186) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, 1:

Miller, C.P.

Absent or not voting, 7:

Carr	Doyle	Holt	Mann
Miller, A.V.	Nystrom	Wells	

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 House File 41.

House File 41

On motion of Senator Tieden, House File 41, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984, and providing an effective date by publication, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tieden offered amendment S—3191 filed by the committee on Commerce on March 5, 1985, to the title page of the bill and moved its adoption.

Amendment S—3191 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. 41) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, none.

Absent or not voting, 7:

Carr
Mann

Doyle
Nystrom

Holt
Wells

Jensen

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

INTRODUCTION OF BILLS

Senate File 411, by Tieden and Dieleman, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system.

Read first time and passed on file.

Senate File 412, by Horn, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

Read first time and passed on file.

Senate File 413, by Committee on Transportation, a bill for an act relating to farm-to-market road fund allocations.

Read first time and placed on calendar.

Senate File 414, by Committee on Education, a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

Read first time and placed on calendar.

Senate File 415, by Taylor, a bill for an act relating to sexual abuse in the third degree.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 406** was referred from the Regular Calendar to the committee on **Agriculture**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 5

WAYS AND MEANS: Mann, Chair; Rodgers and Holden

**Senate File 175
(Revised)**

APPROPRIATIONS: Gronstal, Chair; Schwengels and Welsh

Senate File 219

APPROPRIATIONS: Dieleman, Chair; Ritsema and Husak

Senate File 247

LABOR & INDUSTRIAL RELATIONS: Deluhery, Chair; Hultman and Welsh

Senate File 248

LABOR & INDUSTRIAL RELATIONS: Wells, Chair; Welsh and Holden

Senate File 270

NATURAL RESOURCES: Hall, Chair; Hester and Schwengels

Senate File 294

WAYS & MEANS: Bruner, Chair; Rodgers and Hester

Senate File 300

EDUCATION: Murphy, Chair; Brown and Gratias

Senate File 301

LOCAL GOVERNMENT: Wells, Chair; C. Miller and Lind

Senate File 304

NATURAL RESOURCES: Priebe, Chair; Husak and Goodwin

Senate File 310

LOCAL GOVERNMENT: C. Miller, Chair; Waldstein and Hall

Senate File 325

LOCAL GOVERNMENT: A. Miller, Chair; Hall and Goodwin

Senate File 341

TRANSPORTATION: Doyle, Chair; Drake and Coleman

Senate File 344

WAYS & MEANS: Boswell, Chair; Bruner and Holden

Senate File 345

WAYS & MEANS: Gronstal, Chair; Dieleman and Readinger

Senate File 346

NATURAL RESOURCES: Doyle, Chair; Gratias and Tieden

Senate File 347

COMMERCE: Priebe, Chair; Palmer and Jensen

Senate File 348

COMMERCE: Priebe, Chair; Tieden and Jensen

Senate File 349

WAYS & MEANS: Holt, Chair; Husak and Mann

Senate File 350

WAYS & MEANS: Mann, Chair; Dieleman and Hester

Senate File 351

COMMERCE: Kinley, Chair; Palmer and Holden

Senate File 352

LOCAL GOVERNMENT: Goodwin, Chair; Wells and Neighbour

Senate File 353

WAYS & MEANS: Bruner, Chair; Gronstal and Readinger

Senate File 354

STATE GOVERNMENT: Mann, Chair; Coleman and Corning

Senate File 356

TRANSPORTATION: Jensen, Chair; Gettings and Hall

Senate File 357

EDUCATION: Brown, Chair; Gratias and Murphy

Senate File 358

TRANSPORTATION: Drake, Chair; Jensen and Nystrom

Senate File 359

LOCAL GOVERNMENT: Waldstein, Chair; C. Miller and Priebe

Senate File 365

APPROPRIATIONS: Gronstal, Chair; Tieden and Husak

Senate File 374

JUDICIARY: Drake, Chair; Hester and Dieleman

Senate File 381

JUDICIARY: Mann, Chair; Horn and Taylor

Senate File 398

EDUCATION: Murphy, Chair; Brown and Taylor

Senate Concurrent Resolution 18

HUMAN RESOURCES: Bruner, Chair; Carr and Gentleman

Senate Concurrent Resolution 19

TRANSPORTATION: Gettings, Chair; Kinley and Hall

Senate Concurrent Resolution 20

JUDICIARY: Doyle, Chair; Mann and Ritsema

House File 160

HUMAN RESOURCES: Carr, Chair; Coleman and Taylor

House File 178

LABOR & INDUSTRIAL RELATIONS: Wells, Chair; Rife and Welsh

House File 225

WAYS AND MEANS: Palmer, Chair; Brown, Husak, Gratias and Soorholtz

House File 309

TRANSPORTATION: Kinley, Chair; A. Miller and Nystrom

House File 311

LOCAL GOVERNMENT: Wells, Chair; Waldstein and Vande Hoef

House File 377

WAYS & MEANS: Palmer, Chair; Brown, Husak, Gratias and Soorholtz

SSB 161

HUMAN RESOURCES: Carr, Chair; Coleman and Taylor

SSB 248

HUMAN RESOURCES: Carr, Chair; Bruner and Vande Hoef

SSB 256

COMMERCE: Holden, Chair; Gronstal and Jensen

SSB 257

COMMERCE: Hutchins, Chair; Palmer and Tieden

SSB 258

COMMERCE: Holden, Chair; Priebe and Tieden

SSB 260

EDUCATION: Taylor, Chair; Lind and Colton

SSB 264

AGRICULTURE: A. Miller, Chair; Hutchins and Waldstein

SSB 265

AGRICULTURE: Vande Hoef, Chair; Hester and Hutchins

SSB 266

AGRICULTURE: Priebe, Chair; A. Miller and Hester

SSB 268

EDUCATION: Wells, Chair; Hannon and Corning

SSB 269

WAYS & MEANS: Readinger, Chair; Mann and Brown

SSB 270

WAYS & MEANS: Brown, Chair; Gronstal and Soorholtz

SSB 271

WAYS & MEANS: Gronstal, Chair; Readinger and Bruner

SSB 273

TRANSPORTATION: Gettings, Chair; Doyle and Drake

SSB 274

STATE GOVERNMENT: Coleman, Chair; Drake and Rife

SSB 275

TRANSPORTATION: Kinley, Chair; Doyle and Drake

SSB 276

EDUCATION: Murphy, Chair; Lind and Colton

SSB 277

EDUCATION: Gratias, Chair; Brown and Taylor

SSB 278**JUDICIARY: Mann, Chair; Doyle and Ritsema****SSB 279****JUDICIARY: Doyle, Chair; Mann and Holt****SSB 280****JUDICIARY: Doyle, Chair; Mann and Holt****SSB 281****LABOR & INDUSTRIAL RELATIONS: Gettings, Chair; Deluhery and Rife****SSB 282****LABOR & INDUSTRIAL RELATIONS: Wells, Chair; Mann and Hultman****SSB 283****JUDICIARY: Drake, Chair; Carr and Horn****SSB 286****TRANSPORTATION: Doyle, Chair; Nystrom and Jensen****SSB 287****LOCAL GOVERNMENT: Vande Hoef, Chair; Waldstein and Hall****SSB 288****NATURAL RESOURCES: Neighbour, Chair; Tieden and Hester****SSB 289****JUDICIARY: Small, Chair; Drake and Horn****SSB 292****JUDICIARY: Dieleman, Chair; Coleman and Holt****SSB 293****JUDICIARY: Mann, Chair; Ritsema and Small**

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 7, 1985, 12:20 p.m.

Members Present: C. Miller, Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: Doyle, Vice Chair (excused).

Committee Business: Discussed appropriations for dispute resolution and criminal juvenile justice planning.

Adjourned: 1:05 p.m.

AGRICULTURE

Convened: March 7, 1985, 9:41 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Reported Senate File 363 to the Senate calendar; approved Senate File 133; agreed to drafting of bill relating to limestone.

Adjourned: 10:28 a.m.

APPROPRIATIONS

Convened: March 7, 1985, 1:14 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; C. Miller, Gettings, Colton, Murphy, Husak, Holt, Ritsema and Readinger.

Members Absent: Horn, Deluhery, Dieleman, Gronstal, Gentleman, Schwengels and Lind.

Committee Business: Reported Senate File 395 to the Senate calendar.

Adjourned: 1:16 p.m.

EDUCATION

Convened: March 7, 1985, 9:42 a.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratiias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy and Taylor.

Members Absent: Wells (excused).

Committee Business: Assigned Senate File 398 to subcommittee.

Adjourned: 10:27 a.m.

ENERGY & ENVIRONMENT

Convened: March 7, 1985, 1:40 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; A. Miller, Gronstal, Carr, Rife, Hultman and Soorholtz.

Members Absent: Brown.

Committee Business: No committee action.

Adjourned: 1:42 p.m.

JUDICIARY

Convened: March 7, 1985, 10:30 a.m.

Members Present: Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Doyle, Chair (excused).

Committee Business: Approved SSBs 215 and 232 as committee bills; assigned bills to subcommittees; deferred action on Senate File 244 as amended.

Adjourned: 11:30 a.m.

LOCAL GOVERNMENT

Convened: March 7, 1985, 10:37 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Hall, Lind, Neighbour, Priebe and Vande Hoef.

Members Absent: Goodwin and Wells (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 225 as a committee bill; reported Senate File 261, House File 311 and Senate File 184 (as amended) to the Senate calendar.

Adjourned: 11:18 a.m.

NATURAL RESOURCES

Convened: March 7, 1985, 1:30 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Goodwin, Gratias, Hester, Husak, Neighbour and Tieden.

Members Absent: Doyle, Hannon and Rodgers.

Committee Business: Slide presentation by Department of Water, Air and Waste Management regarding mapping of flood plains—committee moved to extend deadline for adopting this plan until June 30, 1986.

Adjourned: 2:35 p.m.

STATE GOVERNMENT

Convened: March 7, 1985, 11:35 a.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Nystrom, Ranking Member.

Committee Business: Reported Senate Files 395, 199 and 236 to the Senate calendar; approved SSB 44 as a committee bill; deferred action on Senate File 110.

Adjourned: 12:01 p.m.

TRANSPORTATION

Convened: March 7, 1985, 10:05 a.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Gettings, Goodwin, Jensen, A. Miller and Nystrom.

Members Absent: Doyle and Kinley.

Committee Business: Reported Senate Files 159, 313 and 356 to the Senate calendar; approved SSB 249 as a committee bill; Senate File 42 failed recommendation for passage; assigned bill to subcommittee.

Adjourned: 10:25 a.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 133, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3246.

Final Vote: Ayes, 10: Priebe, A. Miller, Boswell, Hester, Husak, Hutchins, Palmer, Soorholtz, Waldstein and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 101, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire or invest in a subsidiary to engage in nondepository activities permitted by state or federal law.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Deluhery, Holden, Gronstal, Hutchins, Jensen, Priebe and Tieden. Nays, 1: Palmer. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 408 (SSB 197), a bill for an act relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Brown, Horn, Gratias, Colton, Hannon, Murphy and Taylor. Nays, 2: Corning and Lind. Absent or not voting, 1: Wells.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 414 (SSB 277), a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy and Taylor. Nays, none. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 413 (SSB 249), a bill for an act relating to farm-to-market road fund allocations.

Recommendation: APPROVED COMMITTEE BILL.

Final Bill Action: Ayes, 7: Coleman, Hall, Gettings, Goodwin, Jensen, A. Miller and Nystrom. Nays, none. Absent or not voting, 3: Drake, Doyle and Kinley.

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.	396	Commerce
S. F.	398	Education
S. F.	402	Ways and Means
H.F.	210	Education
H.F.	451	Human Resources

SENATE STUDY BILLS

SSB 304 Agriculture

Providing that a merchandiser employed by the Iowa commerce commission when acting as a receiver for a licensed grain dealer to effect the sale of a commodity held by the dealer shall be considered a state employee for purposes of tort liability.

SSB 305 State Government

Exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department for the state merit system.

PRESENTATION OF VISITOR

President Anderson welcomed the Honorable Eugene Hill, former member of the Senate from Jasper County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3246	S. F.	133	Agriculture
S—3247	S. F.	293	Charles P. Miller

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 11:40 a.m., until 1:00 p.m., Monday, March 11, 1985.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 11, 1985

The Senate met in regular session at 1:05 p.m., President Anderson presiding.

Prayer was offered by the Reverend Neal O. Zeilinger, pastor of the St. Paul's Lutheran Church, Neola, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Holden for the day on request of Senator Hultman; Senator Miller of Des Moines for 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 March 7, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 117, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

ALSO: That the House has on March 7, 1985, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 17, a resolution relating to a biennial memorial session.

This resolution was read first time and passed on file.

House Concurrent Resolution 18, a resolution relating to Pioneer Lawmakers.

This resolution was read first time and passed on file.

House Concurrent Resolution 19, a resolution recognizing Women's History Week.

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

ALSO: That the House has on March 7, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 196, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union.

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

House File 453, a bill for an act relating to the hunter safety course requirements in applying for a hunting license.

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

House File 460, a bill for an act relating to the investment of the assets of insurance companies, state banks, state savings banks, state savings and loan associations and credit unions in venture capital firms making investments in small businesses in the state and in small business operating in this state.

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

House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

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

ALSO: That the House has on March 8, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 286, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

INTRODUCTION OF BILLS

Senate File 416, by Priebe, a bill for an act relating to the definition of communication services for purposes of the sales, services and use tax.

Read first time and passed on file.

Senate File 417, by Miller of Des Moines, a bill for an act relating to wrecked or salvage vehicles.

Read first time and passed on file.

Senate File 418, by Gronstal, a bill for an act requiring the state commerce commission to initiate a pilot program to study the impact of local measured-service telephone rates for residential customers and prohibiting the approval of the rates until the conclusion of the pilot program.

Read first time and passed on file.

Senate File 419, by Gentleman, a bill for an act to provide an additional exemption credit for state individual income tax purposes for certain permanently and totally disabled persons.

Read first time and passed on file.

Senate File 420, by Boswell, a bill for an act relating to a claim for necessary living expenses against the proceeds of a product which is subject to a security interest or certain statutory liens.

Read first time and passed on file.

BILLS REFERRED TO COMMITTEE

President Anderson announced that the following bills were referred from the Regular Calendar to committee:

Senate File 397 to the committee on **Transportation**.

Senate File 399 to the committee on **Judiciary**.

Senate File 400 to the committee on **Transportation**.

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 BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 183.

House File 183

On motion of Senator Hall, House File 183, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hall offered amendment S—3177 filed by the committee on Natural Resources on February 28, 1985, to pages 1, 2 and 3 of the bill.

Senator Rodgers took the chair at 1:35 p.m.

Senator Doyle offered amendment S—3188 filed by him on March 4, 1985, to amendment S—3177 and moved its adoption.

A non record roll call was requested.

The ayes were 30, nays 16.

Amendment S—3188 was adopted.

Senator Hall moved the adoption of amendment S—3177 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3177 as amended, the Chair ruled amendment S—3248 filed by Senator Priebe from the floor to page 2 of the bill, out of order.

Senator Priebe offered amendment S—3250 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 27, nays 19.

Amendment S—3250 was adopted.

Senator Junkins offered amendment S—3201 filed by Senators Junkins, et al., on March 6, 1985, to page 1 of the bill.

Senator Ritsema called for a division of amendment S—3201; lines 3 through 6 as division S—3201A and lines 7 through 9 as division S—3201B.

Senator Junkins moved the adoption of division S—3201A, which motion prevailed by a voice vote.

Senator Junkins moved the adoption of division S—3201B.

A record roll call was requested.

On the question “Shall division S—3201B be adopted?” (H.F. 183) the vote was:

Ayes, 27:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Gratias	Horn	Husak
Hutchins	Junkins	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Palmer
Priebe	Rodgers	Schwengels	Soorholtz
Taylor	Wells	Welsh	

Nays, 21:

Bruner	Corning	Drake	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Hultman	Jensen
Kinley	Nystrom	Readinger	Rife
Ritsema	Small	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 2:

Holden Miller, C.P.

Division S—3201B was adopted.

Senator Hall offered amendment S—3215 filed by him on March 6, 1985, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3215 be adopted?” (H.F. 183) the vote was:

Ayes, 25:

Bruner	Corning	Drake	Gentleman
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Hultman
Jensen	Kinley	Lind	Nystrom
Readerger	Rife	Ritserna	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 23

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Horn	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Rodgers
Soorholtz	Wells	Welsh	

Absent or not voting, 2:

Holden	Miller, C.P.
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Amendment S—3215 was adopted.

(House File 183 pending on recess).

RECESS

On motion of Senator Junkins, the Senate recessed at 2:31 p.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President pro tempore Rodgers 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.

BUSINESS PENDING

House File 183

The Senate resumed consideration of House File 183, pending on recess.

Senator Murphy offered amendment S—3255 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—3255 be adopted?" (H.F. 183) the vote was:

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

Ayes, 21:

Biswell	Brown	Carr	Coleman
Colton	Deluhery	Doyle	Gettings
Holt	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Murphy
Palmer	Priebe	Rodgers	Soorholtz
Wells			

Nays, 27:

Bruner	Corning	Dieleman	Drake
Gentleman	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Hultman
Jensen	Lind	Miller, A.V.	Neighbour
Nystrom	Readinger	Rife	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Absent or not voting, 2:

Holden Miller, C.P.

Amendment S—3255 lost.

Senator Priebe offered amendment S—3251 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—3251 be adopted?" (H.F. 183) the vote was:

Ayes, 22:

Boswell	Brown	Coleman	Colton
Deluhery	Doyle	Gentleman	Gettings
Gratias	Horn	Husak	Hutchins
Jensén	Junkins	Kinley	Mann
Miller, A. V.	Murphy	Palmer	Priebe
Soorholtz	Taylor		

Nays, 25:

Bruner	Carr	Corning	Dieleman
Drake	Goodwin	Gronstal	Hall
Hannon	Hester	Hultman	Lind
Neighbour	Nystrom	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Absent or not voting, 3:

Holden	Holt	Miller, C.P.
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Amendment S—3251 lost.

Senator Priebe withdrew amendment S—3252 filed by him from the floor to page 2 of the bill.

Senator Priebe offered amendment S—3249 filed by him from the floor to page 3 of the bill.

Senator Priebe withdrew amendment S—3249.

Senator Welsh offered amendment S—3256 filed by him from the floor to page 3 of the bill.

Senator Hall raised the point of order that amendment S—3256 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3256 out of order.

Senator Welsh offered amendment S—3257 filed by him from the floor to page 3 of the bill.

Senator Colton offered amendment S—3263 filed by him from the floor to amendment S—3257 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3263 to amendment S—3257 be adopted?" (H.F. 183) the vote was:

Ayes, 20:

Boswell	Brown	Coleman	Colton
Doyle	Drake	Gentleman	Gettings
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A. V.	Palmer
Priebe	Soorholtz	Taylor	Welsh

Nays, 27:

Bruner	Carr	Corning	Deluhery
Dieleman	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Hultman
Jensen	Lind	Murphy	Neighbour
Nystrom	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 3:

Holden	Holt	Miller, C.P.
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Amendment S—3263 lost.

Senator Welsh moved the adoption of amendment S—3257.

A non record roll call was requested.

The ayes were 22, nays 25.

Amendment S—3257 lost.

Senator Priebe offered amendment S—3261 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3261 was adopted by a voice vote.

Senator Priebe raised the point of order that House File 183 should be referred to the committee on Ways and Means.

The Chair ruled the point not well taken.

Senator Schwengels filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which division S—3201B to House File 183 was adopted by the Senate on March 11, 1985.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 183) the vote was:

Ayes, 25:

Bruner	Corning	Dieleman	Drake
Gentleman	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Hultman
Jensen	Kinley	Lind	Nystrom
Palmer	Readinger	Rife	Ritsema
Schwengels	Small	Vande Hoef	Waldstein
Wells			

Nays, 23:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Doyle	Gettings
Gratias	Horn	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Murphy
Neighbour	Priebe	Rodgers	Soorholtz
Taylor	Tieden	Welsh	

Absent or not voting, 2:

Holden	Miller, C.P.
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The motion prevailed and division S—3201B by Senators Junkins, et al., to page 1 of the bill, was taken up for reconsideration.

Senator Junkins moved the adoption of division S—3201B.

A record roll call was requested.

On the question "Shall division S—3201B be adopted?" (H.F. 183) the vote was:

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

Ayes, 25:

Boswell	Brown	Carr	Colton
Deluhery	Dieleman	Doyle	Gettings
Gratias	Horn	Husak	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Palmer	Priebe
Rodgers	Soorholtz	Taylor	Wells
Welsh			

Nays, 22:

Bruner	Corning	Drake	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Hultman	Jensen
Kinley	Nystrom	Readinger	Rife
Ritsema	Schwengels	Small	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 3:

Coleman	Holden	Miller, C.P.
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Division S—3201B was adopted.

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. 183) the vote was:

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

Ayes, 26:

Boswell	Bruner	Carr	Corning
Dieleman	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Hultman	Hutchins	Jensen	Lind
Miller, A.V.	Murphy	Nystrom	Readinger
Ritsema	Schwengels	Small	Tieden
Vande Hoef	Wells		

Nays, 21:

Brown	Colton	Deluhery	Doyle
Drake	Gentleman	Gettings	Horn
Husak	Junkins	Kinley	Mann
Neighbour	Palmer	Priebe	Rife

Rodgers
Welsh

Soorholtz

Taylor

Waldstein

Absent or not voting, 3:

Coleman

Holden

Miller, C.P.

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

APPENDIX

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: The committee on memorial resolutions has ascertained the names of two former members of the Senate who have become deceased and appoints the following committees to prepare suitable memorial resolutions:

HOWARD C. BUCK, STATE CENTER

Emil J. Husak, Chair
Charles Bruner
John E. Soorholtz

A.V. "AL" DORAN, BOONE

Norman G. Rodgers, Chair
C. Joseph Coleman
John N. Nystrom

CHARLES P. MILLER, Chair
C. JOSEPH COLEMAN
RAY TAYLOR
DALE L. TIEDEN

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 8, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 55—Relating to fur harvester and hunting licenses and providing an effective date by publication.

Also:

That on March 11, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 113—Relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long-term care and home health care.

Senate File 241—Relating to membership on the interagency coordinating council on radiation safety.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 8, 1985, 8:05 a.m.

Members Present: C. Miller, Chair; Ritsema, Ranking Member; Carr, and Waldstein.

Members Absent: Doyle, Vice Chair.

Committee Business: Subcommittee approved and submitted Justice System appropriations bill to the full Appropriations committee.

Adjourned: 9:00 a.m.

COMMERCE

Convened: March 8, 1985, 11:37 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Palmer, Priebe and Tieden.

Members Absent: Nystrom.

Committee Business: Assigned bills to subcommittees; reported Senate File 101 to the Senate calendar.

Adjourned: 11:46 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Corning from forty-three residents of Black Hawk County favoring legislation that would limit the acceptable level

of excess capacity to 15 percent above the highest demand for electricity and deny profits on the specific plants that throw generating capacity above the 15 percent lid.

Senator Junkins from fifty-seven residents of Howard County favoring legislation increasing the appropriation to the Iowa State Transit Assistance Fund.

Senator Gratius from forty residents of Black Hawk, Butler, Cerro Gordo, Fayette and Floyd Counties favoring legislation outlawing hunting and shooting in, on, or from the road right-of-way and the use of radios when hunting.

Senator Junkins from forty-seven residents of Iowa favoring legislation relating to the private instruction received by certain children between the ages of seven and sixteen.

Senator Goodwin from two hundred twenty-nine residents of Clinton favoring legislation increasing the appropriation to the Iowa State Transit Assistance Fund.

Senator Mann from one hundred ninety-seven residents of Polk County opposing legislation raising the drinking age in Iowa.

SENATE STUDY BILLS

SSB 306 Commerce

Relating to residential gas and electric customers who may be eligible for the prohibition against disconnection of service from November 1 to April 1, with retroactive application to April 1, 1985.

SSB 307 Commerce

Relating to state bank financial futures activities.

SSB 308 Commerce

Relating to the finance charge permitted in consumer loans made pursuant to open end credit.

SSB 309 State Government

Relating to veterans' preference in public employment.

SSB 310 Education

Relating to the confidentiality of records regarding persons seeking public employment.

SSB 311 Education

Requiring school bus drivers to be at least eighteen years of age.

SSB 312 Commerce

Relating to the regulation of insurance holding companies and providing for penalties.

SSB 313 State Government

Relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness.

SSB 314 Judiciary

Requiring life insurance companies or associations and fraternal beneficiary associations to include provisions in certain policies of life insurance providing for the payment of interest on the death benefits and reasonable attorney's fees.

SSB 315 Agriculture

Relating to agricultural limestone.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	409	State Government
S. F.	410	Ways and Means
S. F.	411	State Government
S. F.	412	Transportation
S. F.	415	Judiciary
H.F.	460	Small Business

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 268, a bill for an act relating to the establishment of 911 service and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, and including an appropriation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3267 (filed March 12, 1985).

Final Vote: Ayes, 17: Welsh, Small, Tieden, Horn, Deluhery, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 199, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3254.

Final Vote: Ayes, 10: Carr, Bruner, Coleman, Corning, Drake, Horn, Mann, C. Miller, Schwengels and Welsh. Nays, 2: Gentleman and Rife. Absent or not voting, 2: Dieleman and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 3, 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.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Nystrom, Bruner, Coleman, Corning, Gentleman, Horn, Mann and Welsh. Nays, 4: Dieleman, Drake, Rife and Schwengels. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3248	H.F.	183	Berl E. Priebe
S-3249	H.F.	183	Berl E. Priebe
S-3250	H.F.	183	Berl E. Priebe
S-3251	H.F.	183	Berl E. Priebe
S-3252	H.F.	183	Berl E. Priebe
S-3253	S.F.	336	Julia Gentleman Joy Corning
S-3254	S.F.	199	State Government
S-3255	H.F.	183	Larry Murphy
S-3256	H.F.	183	Joe Welsh
S-3257	H.F.	183	Joe Welsh
S-3258	S.F.	336	Richard F. Drake
S-3259	S.F.	159	Richard Vande Hoef
S-3260	H.F.	186	Richard F. Drake
S-3261	H.F.	183	Berl E. Priebe
S-3262	S.F.	268	Larry Murphy Wally E. Horn Dale L. Tieden
S-3263	H.F.	183	Milo Colton

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:20 p.m., until 9:00 a.m., Tuesday, March 12, 1985.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 12, 1985

The Senate met in regular session at 9:06 a.m., President pro tempore Rodgers presiding.

Prayer was offered by the Reverend Clarence VanHeukelom, pastor of the First Reformed Church, Sibley, Iowa.

The Journal of Monday, March 11, 1985, 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 8, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 338, a bill for an act relating to the term of office of the labor commissioner.

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

House File 452, a bill for an act permitting the use of deposit insurance obtained from a deposit insurance corporation to secure the deposit of public funds.

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

House File 456, a bill for an act requiring a corporation organized in this state to provide a copy of the corporation's annual report containing certain financial information to a stockholder of the corporation upon receipt of a written request from the stockholder and providing for penalties.

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 22, by Hultman, a resolution relating to the creation of an interim study committee to review the emergency medical services available to Iowans.

Read first time and passed on file.

Senate Concurrent Resolution 23, by Carr, a resolution establishing an interim study committee to review long-term care needs for chronically mentally ill individuals.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate Joint Resolution 8, by Hultman, Corning, Jensen, Holt, Vande Hoef, Lind, Goodwin and Schwengels, a joint resolution proposing two amendments to the Constitution of the State of Iowa limiting appropriations to ninety-five percent of the estimated revenues and requiring the approval of tax and license fee increases by three-fifths of the members elected to each house of the general assembly.

Read first time and passed on file.

Senate File 421, by Committee on State Government, a bill for an act to require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are convicted of selling alcohol to minors.

Read first time and placed on calendar.

Senate File 422, by Committee on State Government, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

Read first time and placed on calendar.

Senate File 423, by Committee on Judiciary, a bill for an act relating to claims in estates for which there is insurance coverage.

Read first time and placed on calendar.

Senate File 424, by Committee on Human Resources, a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty.

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

Senate File 425, by Bruner, a bill for an act relating to special absentee ballots.

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

Senate File 426, by Rodgers, a bill for an act relating to liability insurance requirements for the operation and registration of motor vehicles in this state, making penalties applicable.

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

Senate File 427, by Gentleman, Hannon and Corning, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

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

Senate File 428, by Priebe, a bill for an act creating a state overnight deposit fund in the office of the treasurer of state.

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

Senate File 429, by Gronstal and Hannon, a bill for an act relating to the obstruction of or interference with persons providing emergency medical services.

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

Senate File 430, by Priebe, a bill for an act creating an office of environmental citizens' advocate and specifying the powers and duties of the environmental citizens' advocate.

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

Senate File 431, by Dieleman, Doyle, Gettings, Gratias, Nystrom, Neighbour, Murphy, Schwengels, Brown, Hannon, Drake, Taylor, Ritsema and Rodgers, a bill for an act relating to grants of assistance to hospitals and appropriating funds for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 319.

Senate File 319

On motion of Senator Holt, Senate File 319, a bill for an act relating to the establishment of the vocational education council and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Holt offered amendment S—3232 filed by the committee on Education on March 7, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3232 was adopted by a voice vote.

With the adoption of amendment S—3232, the Chair ruled amendment S—3155 filed by Senator Holt on February 25, 1985, to page 1 of the bill, 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. 319) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Taylor	Tieden	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Lind
Waldstein

Miller, C.P.

Soorholtz

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 **Senate File 319** be immediately messaged to the House.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:36 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 11, 1985, 3:38 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind.

Members Absent: C. Miller (excused).

Committee Business: Reported Senate File 268 as amended to the Senate calendar; approved LSB 1702S 71 and ordered redrafted as a committee bill.

Adjourned: 4:31 p.m.

HUMAN RESOURCES

Convened: March 11, 1985, 11:09 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, Gentleman, Readinger, Vande Hoef, Gratias and Taylor.

Members Absent: C. Miller (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 107 as a committee bill.

Adjourned: 12:08 p.m.

STATE GOVERNMENT

Convened: March 11, 1985, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife, Schwengels and Welsh.

Members Absent: C. Miller (excused).

Committee Business: Approved SSBs 21, 254 and 297 and ordered redrafted as committee bills; reported Senate File 293 as amended to the Senate calendar; reported Senate Joint Resolution 3 to the Senate calendar; Senate File 207 failed recommendation for passage.

Adjourned: 3:20 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of March, 1985.

Senate File 286.

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 183 passed the Senate on March 11, 1985.

BILL HUTCHINS

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 424 (SSB 107), a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Wells, Bruner, Carr, Coleman, Hannon, Murphy, Gentleman, Readinger, Vande Hoef, Gratias and Taylor. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 218, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3160 (filed February 26, 1985).

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Dieleman, Hester, Holt, Horn, Gentleman and Taylor. Nays, none. Absent or not voting, 3: Deluhery, Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 423 (SSB 215), a bill for an act relating to claims in estates for which there is insurance coverage.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 359, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 293, a bill for an act creating a fire service institute.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3264.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 421 (SSB 53), a bill for an act to require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are convicted of selling alcohol to minors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Nystrom, Bruner, Corning, Gentleman, Horn, C. Miller, Rife, Schwengels and Welsh. Nays, 2: Dieleman and Coleman. Absent or not voting, 2: Drake and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 422 (SSB 234), a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Nystrom, Bruner, Coleman, Corning, Gentleman, Horn, C. Miller, Rife, Schwengels and Welsh. Nays, 1: Dieleman. Absent or not voting, 2: Drake and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3264	S. F.	293	State Government
S—3265	S. F.	363	Berl E. Priebe
			Richard Vande Hoef
			Leonard L. Boswell
			Arne Waldstein
S—3266	S. F.	363	C. Joseph Coleman
S—3267	S. F.	268	Appropriations
S—3268	S. F.	104	Douglas Ritsema

AFTERNOON SESSION

The Senate reconvened at 3:33 p.m., Senator Brown presiding.

QUORUM CALL

Senator Rodgers 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 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, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 35, a bill for an act making changes in the statutes relating to marriage.

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

House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

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

INTRODUCTION OF BILLS

Senate File 432, by Committee on State Government, a bill for an act relating to the makeup of the board of nursing examiners.

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

Senate File 433, 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**.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senator Rodgers asked and received unanimous consent to take up out of order Senate File 337.

Senate File 337

On motion of Senator Mann, Senate File 337, a bill for an act relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members, was taken up for consideration.

Senator Mann offered amendment S—3185 filed by him on March 1, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3185 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. 337) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A. V.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Taylor

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

Senator Rodgers asked and received unanimous consent to take up out of order Senate File 383.

Senate File 383

On motion of Senator Colton, Senate File 383, a bill for an act relating to the ranking of certain expanding employers on the unemployment compensation contribution rate tables, was taken up for consideration.

Senator Mann offered amendment S—3218 filed by him on March 7, 1985, to pages 1, 2 and to the title page of the bill.

Senator Hultman raised the point of order that amendment S—3218 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3218 in order.

Senator Hultman called for a division of amendment S—3218: lines 2 through 11 and lines 27 through 32 as division S—3218A; lines 12 through 26 and lines 33 through 37 as division S—3218B.

Senator Mann moved the adoption of division S—3218A.

A record roll call was requested.

On the question "Shall division S—3218A be adopted?" (S.F. 383) the vote was:

Ayes, 23:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Junkins	Miller, A.V.
Murphy	Neighbour	Priebe	Rodgers
Small	Wells	Welsh	

Nays, 25:

Corning	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Jensen
Kinley	Lind	Mann	Nystrom
Palmer	Readinger	Rife	Ritsema
Schwengels	Soorholtz	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 2:

Miller, C.P. Taylor

Division S—3218A lost.

Senator Mann moved the adoption of division S—3218B, which motion prevailed by a voice vote.

With the adoption of division S—3218B, the Chair ruled amendment S—3202 filed by Senators Hultman and Kinley on March 6, 1985, to page 2 and the title page of the bill, out of order.

Senator Mann asked and received unanimous consent that further action on Senate File 383 be deferred.

Senator Rodgers asked and received unanimous consent to take up out of order Senate File 387.

Senate File 387

On motion of Senator Gettings, Senate File 387, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person, 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. 387) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A. V.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Taylor

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

Senator Rodgers asked and received unanimous consent to take up out of order Senate File 391.

Senate File 391

On motion of Senator Hall, Senate File 391, a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards, 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. 391) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A. V.	Murphy	Neighbour	Nystrom

Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 3:

Holden	Lind	Waldstein
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Absent or not voting, 1:

Miller, C.P.

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

Senator Rodgers asked and received unanimous consent to take up out of order Senate File 392.

Senate File 392

On motion of Senator Doyle, Senate File 392, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy, 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. 392) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Nystrom

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

BUSINESS PENDING

Senate File 383

The Senate resumed consideration of Senate File 383, previously deferred.

Senator Mann withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which division S—3218A to Senate File 383 failed to be adopted by the Senate on March 12, 1985.

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. 383) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Readinger
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Rife

Absent or not voting, 2:

Miller, C.P. Nystrom

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 159.

Senate File 159

On motion of Senator Vande Hoef, Senate File 159, a bill for an act eliminating penalties for registrations of snowmobiles which have not been registered for two subsequent registration periods, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3259 filed by him on March 11, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3259 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. 159) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P.

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 336.

Senate File 336

On motion of Senator Drake, Senate File 336, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with both minor and adult offenders, and modifying statutes relating to allowances paid to inmates for work, absconding from work release, length of work release, temporary confinement of work release violators, departmental employees as chauffeurs, and district court reports of criminal convictions, was taken up for consideration.

Senator Drake offered amendment S—3258 filed by him on March 11, 1985, to pages 4, 7, 8, 9, 11, 13, 15, 16, 18, 20 and to the title page of the bill and moved its adoption.

Amendment S—3258 was adopted by a voice vote.

With the adoption of amendment S—3258, the Chair ruled amendment S—3253 filed by Senators Gentleman and Corning on March 11, 1985, to pages 6, 18 and 20 of the bill, out of order.

Senator Drake asked and received unanimous consent that House File 186 be substituted for Senate File 336 as amended.

House File 186

On motion of Senator Drake, House File 186, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, departmental employees as chauffeurs, and to district court reports of criminal convictions, was taken up for consideration.

Senator Drake offered amendment S—3260 filed by him on March 11, 1985, to pages 9, 11, 12, 13, 15, 17 and to the title page of the bill and moved its adoption.

Amendment S—3260 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. 186) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

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.

WITHDRAWN

Senator Drake asked and received unanimous consent that **Senate File 336** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Rodgers asked and received unanimous consent to take up out of order Senate File 261.

Senate File 261

On motion of Senator Neighbour, Senate File 261, a bill for an act relating to the residence of township officers, with report of committee recommending passage, was taken up for consideration.

Senator Neighbour moved that the bill be read the last time now and placed upon 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. 261) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Nystrom

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

Senator Rodgers asked and received unanimous consent to take up out of order Senate File 313.

Senate File 313

On motion of Senator Drake, Senate File 313, a bill for an act allowing certain truck tractors to be registered as special trucks, 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?" (S.F. 313) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning [^]	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 3:

Gentleman	Holden	Murphy
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Absent or not voting, 2:

Miller, C.P.	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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Junkins called up the following appointees on the En Bloc Confirmation Calendar:

State Foster Care Review Board

Ruth De Vries, Harriet Vande Hoef and Mark Wolraich, committee recommendations found on page 250 of the Senate Journal.

Carol A. Worlan, committee recommendation found on page 284 of the Senate Journal.

Jacqueline Mayfield, committee recommendation found on page 386 of the Senate Journal.

James McCullagh, committee recommendation found on page 430 of the Senate Journal.

Iowa Housing Finance Authority

Roosevelt Taylor, committee recommendation found on page 293 of the Senate Journal.

Director of the Iowa Beer and Liquor Control Department

Patrick Cavanaugh, committee recommendation found on page 447 of the Senate Journal.

Senator Junkins moved that the foregoing appointments be confirmed.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Nystrom

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	416	Ways and Means
S. F.	417	Transportation
S. F.	418	Commerce
S. F.	419	Ways and Means
S. F.	420	Commerce
H.C.R.	17	Rules & Administration
H.C.R.	18	Rules & Administration
H.C.R.	19	Rules & Administration
H.F.	196	Commerce
H.F.	453	Natural Resources
H.F.	462	Judiciary

SENATE STUDY BILLS

SSB 43A Energy

Creates an Iowa Commerce Commission pilot program for energy conservation improvements.

SSB 316 Local Government

Relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

SSB 317 Energy and Environment

Relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date.

SSB 318 Human Resources

Establishing a health care equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist health care providers in financing health care equipment.

SSB 319 Transportation

Relating to the property tax levy for public transit.

SSB 320 Education

Relating to the fees for certificates issued by the board of educational examiners.

SSB 321 Education

Relating to the continuing contracts, discharge, and discipline of certificated school corporation employees and providing for the repeal of the professional standards board and establishment of a state tenure commission.

COMMITTEE REPORTS**HUMAN RESOURCES**

Final Bill Action: SENATE CONCURRENT RESOLUTION 18, a resolution regarding the eligibility of certain farm families for food stamp assistance.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Wells, Bruner, Carr, Coleman, Hannon, Murphy, Gentleman, Readinger, Vande Hoef, Gratias and Taylor. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 244, a bill for an act relating to the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—3270 and S—3273 to S—3270.

Final Vote: Ayes, 9: Doyle, Ritsema, Carr, Coleman, Dieleman, Gentleman, Hester, Holt and Taylor. Nays, 1: Mann. Absent or not voting, 4: Deluhery, Horn, Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 343, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3274.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Carr, Dieleman, Gentleman, Holt, Horn, Hester and Taylor. Nays, 1: Coleman. Absent or not voting, 3: Deluhery, Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 381, a bill for an act relating to the enticing away of a minor and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—3275 and S—3276.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Dieleman, Gentleman, Hester, Holt, Horn and Taylor. Nays, none. Absent or not voting, 3: Deluhery, Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 460, a bill for an act relating to the investment of the assets of insurance companies, state banks, state savings banks, state savings and loan associations and credit unions in venture capital firms making investments in small business in the state and in small businesses operating in this state.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Small, Rife, Doyle, Hutchins, Neighbour, Ritsema, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 4: Rodgers, Boswell, Brown and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 492 (SSB 297), a bill for an act relating to the makeup of the board of nursing examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 433 (SSB 21), a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Corning, Drake, Gentleman, Horn, Mann, Rife, Schwengels and Welsh. Nays, 1: Coleman. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 341, a bill for an act dealing with penalties related to the convictions of Iowa drivers in other states.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 12, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 286—Relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 383 passed the Senate on March 12, 1985.

CALVIN O. HULTMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 383 passed the Senate on March 12, 1985.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 261 passed the Senate on March 12, 1985.

THOMAS A. LIND

PRESENTATION OF VISITORS

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

Sixth grade students from Lenox Community School, Lenox, Iowa, accompanied by Mrs. Janet Reed. Senator Boswell.

AMENDMENTS FILED

S—3269	S. F.	385	Julia Gentleman
S—3270	S. F.	244	Judiciary
S—3271	S. F.	42	Edgar H. Holden
S—3272	S. F.	385	Julia Gentleman
S—3273	S. F.	244	Judiciary
S—3274	S. F.	343	Judiciary
S—3275	S. F.	381	Judiciary
S—3276	S. F.	381	Judiciary

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:32 p.m., until 9:00 a.m., Wednesday, March 13, 1985.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines Iowa, Wednesday, March 13, 1985

The Senate met in regular session at 9:07 a.m., President Anderson presiding.

Prayer was offered by Father Joseph McDonnell, pastor of the St. Ambrose Cathedral, Des Moines, Iowa.

The Journal of Tuesday, March 12, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the day on request of Senator Husak.

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 11, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 466, a bill for an act to establish a program for the coordination of media services at the capitol complex in the department of general services.

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

House File 484, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 356.

Senate File 356

On motion of Senator Jensen, Senate File 356, a bill for an act allowing the state department of transportation to issue a certificate of title for a vehicle when the previous title was surrendered for a junking certificate due to mistake or inadvertence, with report of committee recommending passage, was taken up for consideration.

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. 356) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Jensen
Miller, A. V.	Murphy	Neighbour	Nystrom
Readinger	Rife	Ritsera	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Gentleman	Hutchins	Junkins	Kinley
Lind	Mann	Miller, C.P.	Palmer
Priebe			

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

Senator Husak asked and received unanimous consent to take up out of order Senate File 363.

Senate File 363

On motion of Senator Coleman, Senate File 363, a bill for an act relating to the sale of seed corn, and providing a penalty, with report of committee without recommendation, was taken up for consideration.

Senator Coleman offered amendment S—3266 filed by him on March 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3266 was adopted by a voice vote.

Senator Vande Hoef asked and received unanimous consent that further action on **Senate File 363** be deferred.

The Senate stood at ease for the purpose of a party caucus until the fall of the gavel.

The Senate resumed session, President Anderson presiding.

WITHDRAWN

Senator Priebe asked and received unanimous consent that **Senate Joint Resolution 5** be withdrawn from further consideration of the Senate.

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

The Senate resumed session, President Anderson presiding.

BUSINESS PENDING

Senate File 363

The Senate resumed consideration of Senate File 363, previously deferred.

Senator Priebe offered amendment S—3265 filed by Senators Priebe, et al., on March 12, 1985, to page 1 of the bill.

Senator Jensen offered amendment S—3277 filed by him from the floor to amendment S—3265.

Senator Priebe asked and received unanimous consent that further action on amendments S—3265, S—3277 to S—3265 and S—3278 filed by Senator Jensen from the floor to page 1 of the bill be deferred for consideration of amendment S—3280.

Senator Priebe offered amendment S—3280 filed by Senators Priebe, et al., from the floor to page 1 of the bill.

Senator Jensen offered amendment S—3282 filed by him from the floor to amendment S—3280 and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 26.

Amendment S—3282 lost.

Senator Priebe moved the adoption of amendment S—3280, which motion prevailed by a voice vote.

With the adoption of amendment S—3280, the Chair ruled amendments S—3265, S—3277 to S—3265 and S—3278, previously deferred, out of order.

Senator Colton took the chair at 10:50 a.m.

Senator Husak asked and received unanimous consent that further action on **Senate File 363** be deferred.

INTRODUCTION OF BILLS

Senate File 434, by Committee on Appropriations, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Read first time and placed on Appropriations calendar.

Senate File 435, by Committee on Labor and Industrial Relations, a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service.

Read first time and placed on calendar.

Senate File 436, by Nystrom, a bill for an act to authorize boards of trustees of fire and police retirement systems to employ or retain legal counsel.

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

RECESS

On motion of Senator Husak, the Senate recessed at 10:53 a.m., until 3:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: March 12, 1985, 1:06 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Readinger and Lind.

Members Absent: C. Miller (excused), Gentleman and Schwengels.

Committee Business: Approved LSB 1703S 71 and ordered redrafted as a committee bill.

Adjourned: 1:26 p.m.

COMMERCE

Convened: March 12, 1985, 8:01 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Hutchins, Nystrom, Palmer, Priebe and Tieden.

Members Absent: Holden, Ranking Member; Gronstal and Jensen.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:03 a.m.

EDUCATION

Convened: March 12, 1985, 1:35 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:30 p.m.

HUMAN RESOURCES

Convened: March 12, 1985, 8:32 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, Gentleman, Readinger, Vande Hoef, Gratiyas and Taylor.

Members Absent: C. Miller (excused).

Committee Business: Assigned bills to subcommittees; reported Senate File 18 as amended to the Senate calendar; approved SSB 248 as a committee bill; reported Senate Concurrent Resolution 18 to the Senate calendar.

Adjourned: 8:59 a.m.

JUDICIARY

Convened: March 12, 1985, 10:30 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Dieleman, Gentleman, Holt, Horn, Hester and Taylor.

Members Absent: Deluhery, Drake and Small.

Committee Business: Assigned bills to subcommittees; reported Senate Files 218, 244, 343 and 381 as amended to the Senate calendar; approved SSB 215 as a committee bill.

Adjourned: 12:00 noon.

LABOR & INDUSTRIAL RELATIONS

Convened: March 12, 1985, 9:40 a.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 282 as a committee bill.

Adjourned: 9:48 a.m.

LOCAL GOVERNMENT

Convened: March 12, 1985, 10:34 a.m.

Members Present: A. Miller, Chair; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: C. Miller, Vice Chair and Waldstein, Ranking Member (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:36 a.m.

LOCAL GOVERNMENT

Convened: March 12, 1985, 10:36 a.m.

Members Present: A. Miller, Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: C. Miller (excused).

Committee Business: Reported Senate File 359 to the Senate calendar.

Adjourned: 10:40 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: March 12, 1985, 2:35 p.m.

Members Present: Small, Chair; Rife, Ranking Member; Doyle, Hutchins, Neighbour, Ritsema, Vande Hoef and Waldstein.

Members Absent: Rodgers, Vice Chair; Boswell, Brown and Readinger.

Committee Business: Reported House File 460 to the Senate calendar; approved SSB 262 as a committee bill.

Adjourned: 2:50 p.m.

TRANSPORTATION

Convened: March 12, 1985, 1:35 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 245 as amended and ordered redrafted as a committee bill; approved SSB 286 and ordered redrafted as a committee bill.

Adjourned: 1:45 p.m.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Small, Tieden, Horn, Deluhery, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 152, a bill for an act to provide for an exemption from physical education for students participating in marching band.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Horn, Gratias, Colton, Hannon, Murphy and Wells. Nays, 2: Brown and Lind. Voting present, 1: Corning. Absent, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 164, a bill for an act requiring the state board of regents to waive tuition for certain teachers under certain conditions.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Brown, Horn, Colton, Murphy, Taylor and Wells. Nays, 4: Gratias, Corning, Hannon and Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 18, a bill for an act relating to the deposit of cremation ashes on private property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3283.

Final Vote: Ayes, 11: Wells, Bruner, Carr, Coleman, Hannon, Gentleman, Readinger, Vande Hoef, Gratias, Taylor and Murphy. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 438 (SSB 161), a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Wells, Carr, Coleman, Hannon, Murphy, Gentleman, Readinger, Vande Hoef, Gratias and Taylor. Nays, none. Voting present, 1: Bruner. Absent, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 439 (SSB 248), a bill for an act relating to drug product selection.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Wells, Bruner, Carr, Coleman, Hannon, Murphy, Gentleman, Readinger, Vande Hoef, Gratias and Taylor. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR & INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 435 (SSB 282), a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Mann, Gettings, Jensen, Colton, Deluhéry, Holden, Hultman, Rife, Wells and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 356 passed the Senate on March 13, 1985.

WALLY E. HORN

PRESENTATION OF VISITORS

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

Members of the Western Dubuque Girls' State tournament basketball team from Epworth, Iowa, accompanied by Coach Bill Houfer. Senator Welsh.

AMENDMENTS FILED

S-3277	S. F.	363	John W. Jensen
S-3278	S. F.	363	John W. Jensen
S-3279	S. F.	385	Douglas Ritsema
S-3280	S. F.	363	Berl E. Priebe
			Richard Vande Hoef
			Leonard L. Boswell
			Arne Waldstein
S-3281	S. F.	385	Julia Gentleman
S-3282	S. F.	363	John W. Jensen
S-3283	S. F.	18	Human Resources
S-3284	S. F.	125	John Neighbour

AFTERNOON SESSION

The Senate reconvened at 3:45 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 11, 1985 passed the following bills in which the concurrence of the Senate is asked:

House File 123, a bill for an act relating to the issuance of handicapped identification devices, making penalties applicable.

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

House File 198, a bill for an act relating to the expiration of a gift certificate, by making certain practices unlawful.

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

House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts.

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

INTRODUCTION OF BILLS

Senate File 437, by Horn, a bill for an act to authorize the state to own or operate a hazardous waste treatment or disposal facility.

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

Senate File 438, by Committee on Human Resources, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

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

Senate File 439, by Committee on Human Resources, a bill for an act relating to drug product selection.

Read first time and placed on calendar.

Senate File 440, by Committee on Education, a bill for an act relating to the fees for certificates issued by the board of educational examiners.

Read first time and placed on calendar.

DISTINGUISHED VISITOR

President Anderson presented the Honorable Gerard Collins, member of the Fianna Fail Party of the Parliament of Ireland, who was escorted to the well by Senator Priebe.

Mr. Collins said he was delighted to be the representative of the Parliament of Ireland in the state of Iowa and was looking forward to visiting the city of Emmetsburg, which is the sister twin city of Dublin, Ireland.

He commented that the subject matters being deliberated by the Iowa Legislature were not unfamiliar to him and his colleagues in the Irish Parliament; those issues being massive unemployment, high interest charges, inflation and the farm crisis.

Mr. Collins extended an invitation to the members of the Senate to attend the St. Patrick's Day festivities in Emmetsburg and also to visit Ireland.

MOTION TO RECONSIDER WITHDRAWN

Senate File 261

Senator Lind withdrew the motion to reconsider Senate File 261, a bill for an act relating to the residence of township officers, filed by him on March 12, 1985, and found on page 745 of the Senate Journal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 385.

Senate File 385

On motion of Senator Colton, Senate File 385, 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, was taken up for consideration.

Senator Ritsema offered amendment S—3279 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—3279 be adopted?" (S.F. 385) the vote was:

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

Ayes, 21:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Murphy	Nystrom
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 25:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Junkins	Kinley
Mann	Miller, A.V.	Neighbour	Palmer
Priebe	Readinger	Rodgers	Wells
Welsh			

Absent or not voting, 4:

Brown	Hutchins	Lind	Miller, C.P.
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Amendment S—3279 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the remainder of the afternoon on request of Senator Jensen.

BUSINESS PENDING

Senate File 385

The Senate resumed consideration of Senate File 385.

Senator Gentleman offered amendment S—3272 filed by her on March 12, 1985, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3272 be adopted?" (S.F. 385) the vote was:

Ayes, 21:

Corning	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Kinley	Nystrom	Palmer
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 23:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Junkins	Mann
Miller, A.V.	Murphy	Neighbour	Readinger
Rodgers	Small	Wells	

Absent or not voting, 6:

Brown	Drake	Hutchins	Lind
Miller, C.P.	Welsh		

Amendment S—3272 lost.

Senator Gentleman offered amendment S—3269 filed by her on March 12, 1985 to page 1 of the bill.

Senator Kinley took the chair at 4:55 p.m.

Senator Hultman asked unanimous consent that further action on Senate File 385 and amendment S—3269 be deferred.

Senator Hultman withdrew his request.

Senator Hultman asked and received unanimous consent that action on amendment S—3269 be deferred.

Senator Small offered amendment S—3285 filed by Senators Small and Gentleman from the floor to page 1 of the bill and moved its adoption.

Amendment S—3285 was adopted by a voice vote.

Senator Gentleman offered amendment S—3281 filed by her 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—3281 be adopted?" (S.F. 385) the vote was:

Ayes, 20:

Corning	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hester	Holden
Holt	Hultman	Jensen	Nystrom
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 27:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Junkins	Kinley
Mann	Miller, A.V.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rodgers
Small	Wells	Welsh	

Absent or not voting, 3:

Hutchins	Lind	Miller, C.P.
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Amendment S—3281 lost.

(Senate File 385 and amendment S—3269 pending on adjournment).

INTRODUCTION OF BILL

Senate File 441, by Committee on Transportation, a bill for an act relating to payment of compensation to owners of off-premises advertising devices and to the owners of real property on which the advertising devices are located.

Read first time and placed on calendar.

APPENDIX

SENATE STUDY BILLS

SSB 322 Education

Relating to timelines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication.

SSB 323 Natural Resources

Requiring the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

SSB 324 State Government

Authorizing the director of general services to assign unmarked motor vehicles to the department of justice.

SSB 325 Labor and Industrial Relations

Relating to scheduled permanent partial disabilities under the workers' compensation law.

SSB 326 Natural Resources

Extending the time for the completion of the flood plain mapping plan.

SSB 327 Commerce

Relating to out-of-state bank holding companies by providing for specific limitations on the deposit base of the holding companies, providing for a regional banking area for the midwestern region of the United States, and providing reciprocity to out-of-state bank holding companies within that region.

SSB 328 Commerce

Relating to the enforcement of due-on-sale clauses in certain mortgages agreements.

SSB 329 Human Resources

Relating to merged area hospitals.

SSB 330 Education

Requiring successful completion of a course relating to handicapping conditions before issuance or renewal of any certificate, endorsement, or approval by the department of public instruction.

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: SENATE FILE 370, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 395, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Kinley, Deluhery, Gronstal, Holden, Jensen, Priebe and Tieden. Nays, none. Absent or not voting, 3: Hutchins, Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 440 (SSB 320), a bill for an act relating to the fees for certificates issued by the board of educational examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 441 (SSB 286), a bill for an act relating to payment of compensation to owners of off-premises advertising devices and to the owners of real property on which the advertising devices are located.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 178, a bill for an act relating to the handling and preservation of assessment rolls and assessment information.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 242, a bill for an act authorizing a capitol restoration checkoff and a state historical building checkoff from individual or joint income tax returns, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, 1: Holden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 349, a bill for an act relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratijs, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. 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.	425	State Government
S. F.	426	Transportation
S. F.	427	Education
S. F.	428	State Government
S. F.	429	Judiciary
S. F.	430	Natural Resources
S. F.	431	Human Resources
S. C. R.	22	Human Resources
S. C. R.	23	Human Resources
S. J. R.	8	State Government
H.F.	35	Human Resources
H.F.	338	Labor & Industrial Relations
H.F.	452	Commerce
H.F.	456	Commerce

AMENDMENTS FILED

S—3285	S. F.	385	Arthur A. Small, Jr. Julia Gentleman
S—3286	S. F.	385	Arne Waldstein
S—3287	S. F.	424	Douglas Ritsema
S—3288	S. F.	385	Calvin O. Hultman
S—3289	S. F.	385	Calvin O. Hultman
S—3290	S. F.	385	Calvin O. Hultman
S—3291	S. F.	385	Calvin O. Hultman
S—3292	S. F.	385	Calvin O. Hultman
S—3293	S. F.	385	Calvin O. Hultman

S—3294	S. F.	385	Calvin O. Hultman
S—3295	S. F.	385	Arne Waldstein
S—3296	S. F.	401	Douglas Ritsema

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Thursday, March 14, 1985.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 14, 1985

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

Prayer was offered by the Honorable John W. Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Wednesday, March 13, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the day on request of Senator Hultman; Senator Mann for the remainder of the week 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 37 present, 13 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Carr asked and received unanimous consent that **Senate File 438** be referred from the Regular Calendar to the committee on **State Government**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Files 101 and 401 and House File 311.

Senate File 101.

On motion of Senator Hultman, Senate File 101, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire or invest in a subsidiary to engage in nondepository activities permitted by state or federal law, with report of committee recommending passage, was taken up for consideration.

Senator Hultman moved that the bill be read the last time now and placed upon 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. 101) the vote was:

Ayes, 40:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 5:

Boswell	Corning	Hester	Rife
Ritsema			

Absent or not voting, 5:

Kinley	Lind	Mann	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 401

On motion of Senator Doyle, Senate File 401, a bill for an act relating to the harboring of a runaway child and providing a penalty, was taken up for consideration.

Senator Ritsema offered amendment S—3296 filed by him on March 13, 1985, to page 1 of the bill.

Senator Ritsema called for a division of amendment S—3296 as follows: lines 2 and 3 as division S—3296A; lines 4 through 37 as division S—3296B.

Senator Ritsema moved the adoption of division S—3296A, which motion prevailed by a voice vote.

Senator Doyle raised the point of order that division S—3296B was not germane to the bill.

The Chair ruled the point well taken and division S—3296B out of order.

Senator Small asked and received unanimous consent that further action on Senate File 401 be deferred.

House File 311

On motion of Senator Wells, House File 311, a bill for an act to provide that demolition contracts are public improvements, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 10:00 a.m.

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. 311) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Miller, A. V.	Murphy
Neighbour	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hultman	Kinley	Lind	Mann
Miller, C.P.	Palmer	Schwengels	

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 101 be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred March 13, 1985)

Senate File 385

The Senate resumed consideration of Senate File 385, 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 and amendment S—3269, deferred on March 13, 1985.

Senator Junkins asked and received unanimous consent to take up for consideration amendments S—3269, deferred on March 13, 1985, S—3301, S—3299 and S—3300.

Senator Gentleman moved the adoption of amendment S—3269 to page 1 of the bill, deferred on March 13, 1985.

A record roll call was requested.

On the question "Shall amendment S—3269 be adopted?" (S.F. 385) the vote was:

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

Ayes, 19:

Corning	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hester	Holden
Holt	Hultman	Jensen	Priebe

Rife
TiedenRitsema
Vande HoefSoorholtz
Waldstein

Taylor

Nays, 25:

Boswell
Coleman
Gettings
Horn
Miller, A.V.
Readinger
WelshBrown
Colton
Gronstal
Husak
Murphy
RodgersBruner
Deluhery
Hall
Hutchins
Neighbour
SmallCarr
Doyle
Hannon
Junkins
Palmer
Wells

Absent or not voting, 6:

Kinley
NystromLind
Schwengels

Mann

Miller, C.P.

Amendment S—3269 lost.

Senator Gentleman offered amendment S—3301 filed by her from the floor to page 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3301 be adopted?" (S.F. 385) the vote was:

Ayes, 17:

Corning
Hannon
Hultman
Soorholtz
WaldsteinGentleman
Hester
Jensen
TaylorGoodwin
Holden
Rife
TiedenGratias
Holt
Ritsema
Vande Hoef

Nays, 26:

Boswell
Coleman
Doyle
Horn
Miller, A.V.
Priebe
WellsBrown
Colton
Gettings
Husak
Murphy
Readinger
WelshBruner
Deluhery
Gronstal
Hutchins
Neighbour
RodgersCarr
Dieleman
Hall
Junkins
Palmer
Small

Absent or not voting, 7:

Drake
Miller, C.P.Kinley
NystromLind
Schwengels

Mann

Amendment S—3301 lost.

Senator Husak took the chair at 10:35 a.m.

Senator Gentleman offered amendment S—3299 filed by her from the floor to page 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3299 be adopted?" (S.F. 385) the vote was:

Ayes, 18:

Corning	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Palmer	Rife	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 24:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Miller, A.V.	Murphy	Neighbour
Readinger	Rodgers	Wells	Welsh

Absent or not voting, 8:

Gronstal	Kinley	Lind	Mann
Miller, C.P.	Nystrom	Priebe	Schwengels

Amendment S—3299 lost.

Senator Gentleman offered amendment S—3300 filed by her from the floor to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3300 be adopted?" (S.F. 385) the vote was:

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

Ayes, 18:

Corning	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Neighbour	Rife	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 25:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Miller, A.V.	Murphy	Palmer
Priebe	Readinger	Rodgers	Wells
Welsh			

Absent or not voting, 7:

Drake	Kinley	Lind	Mann
Miller, C.P.	Nystrom	Schwengels	

Amendment S—3300 lost.

With the adoption of amendment S—3285 on March 13, 1985, the Chair ruled amendment S—3293 filed by Senator Hultman on March 13, 1985, to page 1 of the bill, out of order.

Senator Waldstein offered amendment S—3295 filed by him on March 13, 1985, to pages 1, 2 and 5 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3295 be adopted?" (S.F. 385) the vote was:

Ayes, 20:

Coleman	Corning	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hultman	Jensen	Neighbour	Nystrom
Priebe	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 24:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Junkins
Miller, A.V.	Murphy	Palmer	Readinger
Rodgers	Small	Wells	Welsh

Absent or not voting, 6:

Gentleman	Kinley	Lind	Mann
Miller, C.P.	Schwengels		

Amendment S—3295 lost.

Senator Hultman withdrew amendment S—3294 filed by him on March 13, 1985, to page 2 of the bill.

Senator Waldstein offered amendment S—3286 filed by him on March 13, 1985, to pages 2 and 5 of the bill and called for a division: lines 2 and 3 as division S—3286A and lines 4 and 5 as division S—3286B.

Senator Waldstein withdrew divisions S—3286A and S—3286B.

Senator Hultman offered amendment S—3291 filed by him on March 13, 1985, to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3291 be adopted?" (S.F. 385) the vote was:

Ayes, 18:

Corning	Dieleman	Drake	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Nystrom	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Miller, A.V.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rodgers	Small
Wells	Welsh		

Absent or not voting, 6:

Gentleman
Miller, C.P.

Kinley
Schwengels

Lind

Mann

Amendment S—3291 lost.

Senator Hultman offered amendment S—3288 filed by him on March 13, 1985, to pages 5 through 8 of the bill.

Senator Hultman asked and received unanimous consent that further action on amendment S—3288 be deferred.

(Senate File 385 pending on recess).

INTRODUCTION OF BILLS

Senate File 442, by Committee on Education, a bill for an act requiring school bus drivers to be at least eighteen years of age.

Read first time and placed on calendar.

Senate File 443, by Committee on Education, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers.

Read first time and placed on calendar.

Senate File 444, by Committee on Judiciary, a bill for an act relating to the time in which a defendant may waive the defendant's right to a jury trial.

Read first time and placed on calendar.

Senate File 445, by Committee on State Government, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system.

Read first time and placed on calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:45 a.m., until 1:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****COMMERCE**

Convened: March 13, 1985, 1:34 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Nystrom (arrived 1:37 p.m.), Palmer (arrived 1:42 p.m.), Priebe (arrived 1:35 p.m.) and Tieden.

Members Absent: Hutchins (excused).

Committee Business: Assigned bills to subcommittees; discussed SSBs 256 and 257; reported Senate File 370 and House File 395 to the Senate calendar; approved SSBs 298 and 306 as committee bills.

Adjourned: 2:05 p.m.

HUMAN RESOURCES

Convened: March 13, 1985, 1:38 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, Readinger, Vande Hoef, Gratias and Taylor.

Members Absent: C. Miller (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 240 as a committee bill.

Adjourned: 2:09 p.m.

NATURAL RESOURCES

Convened: March 13, 1985, 8:07 a.m.

Members Present: Hall, Chair; Doyle, Goodwin, Hannon, Hester, Husak and Neighbour.

Members Absent: Priebe, Vice Chair; Schwengels, Ranking Member; Rodgers, Gratias (excused) and Tieden (excused).

Committee Business: Assigned bills to subcommittees; deferred action on SSB 288; requested a fiscal note on SSB 238; approved SSB 47 and ordered redrafted as a committee bill.

Adjourned: 8:37 a.m.

STATE GOVERNMENT

Convened: March 13, 1985, 2:37 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife, Schwengels and Welsh.

Members Absent: C. Miller (excused).

Committee Business: Reported Senate Files 266, 295 and 409 to the Senate calendar; approved SSBs 284 and 305 as committee bills; assigned bills to subcommittees.

Adjourned: 3:30 p.m.

WAYS AND MEANS

Convened: March 13, 1985, 10:55 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Bruner (arrived 11:05 a.m.); Dieleman (arrived 11:00 a.m.), Grattias, Gronstal, Holden (arrived 11:00 a.m.), Holt, Mann (arrived 11:10 a.m.), Readinger (arrived 11:00 a.m.), Rodgers, Soorholtz and Brown (arrived 11:30 a.m.).

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on Senate Files 95 and 106; reported Senate Files 178, 242 and 349 to the Senate calendar.

Adjourned: 11:45 a.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 442 (SSB 311), a bill for an act requiring school bus drivers to be at least eighteen years of age.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy and Wells. Nays, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 443 (SSB 268), a bill for an act relating to the authority of the area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 444 (SSB 210), a bill for an act relating to the time in which a defendant may waive the defendant's right to a jury trial.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Carr, Dieleman, Gentleman, Holt, Horn, Hester and Taylor. Nays, none. Absent or not voting, 4: Coleman, Deluhery, Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 266, a bill for an act relating to veteran preference in public employment and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3311.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife and Welsh. Nays, 1: Schwengels. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3308.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Gentleman, Horn, Mann, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 2: Drake and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 409, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3310.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Horn, Mann, Schwengels and Welsh. Nays, 2: Gentleman and Rife. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 445 (SSB 305), a bill for an act relating to exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Steve Sovern, former member of the Senate from Linn County, who was present in the Senate Chamber.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 13, 1985.

Had I been present, I would have voted "aye" on Senate File 365.

BILL HUTCHINS

AMENDMENTS FILED

S-3297	S. F.	405	Hurley W. Hall
S-3298	S. F.	116	Energy & Environment
S-3299	S. F.	385	Julia B. Gentleman
S-3300	S. F.	385	Julia B. Gentleman
S-3301	S. F.	385	Julia B. Gentleman
S-3302	S. F.	401	Arthur A. Small, Jr.
S-3303	S. F.	403	Ray Taylor
			Beverly A. Hannon
S-3304	H. F.	231	Calvin O. Hultman
S-3305	S. F.	133	Calvin O. Hultman
S-3306	S. F.	403	Beverly A. Hannon
S-3307	S. F.	385	Calvin O. Hultman
S-3308	S. F.	295	State Government

AFTERNOON SESSION

The Senate reconvened at 1:06 p.m., Senator Waldstein presiding.

INTRODUCTION OF BILL

Senate File 446, by Taylor, a bill for an act relating to the determination of the value of agricultural property for property tax purposes and providing an effective date.

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.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 14, 1985

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 the Board of Regents pursuant to Section 262.2, 1985 Code of Iowa, for six-year terms beginning May 1, 1985 and ending April 30, 1991:

John M. Greig, Estherville, Emmet County, Iowa; James R. Tyler, Atlantic, Cass County, Iowa; and Jacklyn K. Van Ekeren, Ames, Story County, Iowa.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read and referred to the committee on **Rules and Administration**.

Senator Husak took the chair at 1:26 p.m.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day and Senator Gentleman after 11:00 a.m. on request of Senator Hultman.

BUSINESS PENDING

Senate File 401

The Senate resumed consideration of Senate File 401, previously deferred.

Senator Small offered amendment S—3302 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3302 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. 401) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rife	Ritsema
Rodgers	Small	Soorholtz	Tieden
Waldstein	Wells		

Nays, none.

Absent or not voting, 12:

Gentleman	Hester	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Readinger
Schwengels	Taylor	Vande Hoef	Welsh

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 405** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Joint Resolution 3.

Senate Joint Resolution 3

On motion of Senator Small, Senate Joint Resolution 3, 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, with report of committee recommending passage, was taken up for consideration.

Senator Small moved that the resolution be read the last time and now, which motion prevailed by a voice vote, and the resolution was read the last time.

Senate Joint Resolution 3, 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 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 unless a different effective date is stated in an act of the general assembly. The general assembly may establish by law a procedure for giving notice of the contents of acts of immediate importance which become law."

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Seventieth General Assembly, 1984 Session, thereafter duly published, and now adopted and agreed to by the Seventy-first General Assembly in this joint resolution, shall be submitted to the people of the state of Iowa at the general election in November of the year nineteen hundred eighty-six in the manner required by the Constitution of the State of Iowa and the laws of the state of Iowa.

On the question "Shall the resolution be adopted?" (S.J.R. 3) the vote was:

Yeas, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Murphy	Neighbour
Nystrom	Palmer	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Tieden	Vande Hoef	Waldstein	

Nays, 3:

Dieleman	Priebe	Wells
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Absent or not voting, 8:

Gentleman	Hester	Lind	Mann
Miller, C.P.	Schwengels	Taylor	Welsh

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

Senator Junkins asked and received unanimous consent to take up out of order Senate File 422.

Senate File 422

On motion of Senator Nystrom, Senate File 422, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers, 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. 422) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A.V.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Gentleman	Hester	Lind	Mann
Miller, C.P.	Schwengels	Taylor	

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

BILL REINSTATED AND REFERRED TO COMMITTEE

Senator Priebe asked and received unanimous consent that **Senate File 405**, previously withdrawn, be eligible for further consideration of the Senate.

Senator Priebe asked and received unanimous consent that **Senate File 405** be referred to the committee on **Agriculture**.

BUSINESS PENDING

Senate File 385

The Senate resumed consideration of Senate File 385 and amendment S—3288, pending on recess.

Senator Hultman asked and received unanimous consent that further action on amendment S—3288 be deferred.

Senator Hultman offered amendment S—3312 filed by him from the floor to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3312 be adopted?" (S.F. 385) the vote was:

Ayes, 15:

Corning	Goodwin	Gratias	Hester
Holden	Holt	Hultman	Jensen
Nystrom	Rife	Ritsema	Soorholtz
Tieden	Vande Hoef	Waldstein	

Nays, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rodgers	Small	Wells
Welsh			

Absent or not voting, 6:

Gentleman	Lind	Mann	Miller, C.P.
Schwengels	Taylor		

Amendment S—3312 lost.

Senator Hultman withdrew amendment S—3288 to pages 5 through 8 of the bill, previously deferred.

Senator Hultman offered amendment S—3289 filed by him on March 13, 1985, to pages 5 through 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3289 be adopted?" (S.F. 385) the vote was:

Ayes, 14:

Corning	Drake	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Nystrom	Rife	Soorholtz
Tieden	Vande Hoef		

Nays, 28:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Miller, A.V.	Murphy	Neighbour
Palmer	Priebe	Readinger	Ritsema
Rodgers	Small	Wells	Welsh

Absent or not voting, 8:

Coleman	Gentleman	Lind	Mann
Miller, C.P.	Schwengels	Taylor	Waldstein

Amendment S—3289 lost.

Senator Hultman offered amendment S—3290 filed by him on March 13, 1985, to pages 5 through 8 of the bill.

Senator Hultman offered amendment S—3307 filed by him from the floor to amendment S—3290 and moved its adoption.

Amendment S—3307 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—3290 as amended.

A record roll call was requested.

On the question "Shall amendment S—3290 as amended be adopted?" (S.F. 385) the vote was:

Ayes, 14:

Bruner	Corning	Drake	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Nystrom	Rife
Soorholtz	Tieden		

Nays, 27:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Miller, A.V.	Murphy	Neighbour
Palmer	Readinger	Ritsema	Rodgers
Small	Wells	Welsh	

Absent or not voting, 9:

Gentleman	Lind	Mann	Miller, C.P.
Priebe	Schwengels	Taylor	Vande Hoef
Waldstein			

Amendment S—3290 as amended lost.

Senator Hultman offered amendment S—3292 filed by him on March 13, 1985, to page 7 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3292 be adopted?" (S.F. 385) the vote was:

Ayes, 14:

Corning	Goodwin	Gratias	Hester
Holden	Holt	Hultman	Jensen
Nystrom	Readinger	Ritsema	Soorholtz
Tieden	Vande Hoef		

Nays, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Murphy	Neighbour	Palmer	Priebe
Rife	Small	Wells	Welsh

Absent or not voting, 8:

Gentleman	Lind	Mann	Miller, C.P.
Rodgers	Schwengels	Taylor	Waldstein

Amendment S—3292 lost.

Senator Jensen offered amendment S—3313 filed by him from the floor to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3313 be adopted?" (S.F. 385) the vote was:

Ayes, 13:

Corning	Dieleman	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Nystrom	Priebe	Tieden
Vande Hoef			

Nays, 27:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Murphy	Neighbour	Palmer
Readinger	Ritsema	Rodgers	Small
Soorholtz	Wells	Welsh	

Absent or not voting, 10:

Drake	Gentleman	Lind	Mann
Miller, A.V.	Miller, C.P.	Rife	Schwengels
Taylor	Waldstein		

Amendment S—3313 lost.

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. 385) the vote was:

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

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Hall	Hannon	Horn
Husak	Hutchins	Junkins	Kinley
Miller, A.V.	Murphy	Neighbour	Palmer
Readinger	Rodgers	Small	Soorholtz
Wells	Welsh		

Nays, 19:

Corning	Dieleman	Drake	Goodwin
Gratias	Gronstal	Hester	Holden
Holt	Hultman	Jensen	Nystrom
Priebe	Rife	Ritsema	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 5:

Gentleman	Lind	Mann	Miller, C.P.
Schwengels			

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

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

The Senate resumed session, Senator Brown presiding.

INTRODUCTION OF BILLS

Senate File 447, 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 448, by Committee on Commerce, a bill for an act relating to residential gas and electric customers who may be eligible for the prohibition against disconnection of service from November 1 to April 1, with retroactive application to April 1, 1985.

Read first time and placed on calendar.

Senate File 449, by Committee on Small Business and Economic Development, a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

Read first time and placed on calendar:

Senate File 450, by Committee on Energy and Environment, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements.

Read first time and placed on calendar.

Senate File 451, by Committee on Appropriations, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Read first time and placed on Appropriations calendar.

Senate File 452, by Doyle, a bill for an act authorizing conversion of certain real property to a mobile home.

Read first time and passed on file.

Senate File 453, by Committee on State Government, a bill for an act to provide for the establishment of the Iowa higher education facilities program.

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

Senate File 454, by Carr, a bill for an act relating to the age of eligibility for persons claiming extraordinary homestead tax credits and reimbursement of rent constituting property taxes paid.

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

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 451** be referred from the Appropriations Calendar to the committee on **Appropriations**.

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 451, a bill for an act relating to appropriations to various departments, board, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Horn, Deluhery, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Readinger and Lind. Nays, none. Absent or not voting, 3: C. Miller, Gentleman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 448 (SSB 306), a bill for an act relating to residential gas and electric customers who may be eligible for the prohibition against disconnection of service from November 1 to April 1, with retroactive application to April, 1985.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Kinley, Holden, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, 2: Deluhery and Gronstal. Absent or not voting, 1: Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY & ENVIRONMENT

Final Bill Action: SENATE FILE 116, a bill for an act to require at least one well at each sanitary landfill to monitor ground water quality.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3298.

Final Vote: Ayes, 9: Bruner, Colton, Carr, Brown, A. Miller, Gronstal, Corning, Soorholtz and Hultman. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 450 (SSB 43A), a bill for an act to create an Iowa Commerce Commission pilot program for energy conservation improvements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Colton, Carr, Brown, A. Miller, Gronstal, Corning, Soorholtz and Hultman. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 449 (SSB 262), a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Small, Rife, Doyle, Hutchins, Neighbour, Ritsema, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 4: Rodgers, Boswell, Brown and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 447 (SSB 254), a bill for an act to license operators of radiation emitting equipment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 453 (SSB 284), a bill for an act to provide for the establishment of the Iowa higher education facilities program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Gentleman, Mann, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 3: Drake, Horn and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF COMMITTEE MEETING

ENERGY & ENVIRONMENT

Convened: March 13, 1985, 8:20 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Brown, A. Miller, Gronstal, Soorholtz, Rife and Hultman.

Members Absent: none.

Committee Business: Bill consideration.

Adjourned: 9:00 a.m.

SENATE STUDY BILLS

SSB 317A Energy & Environment

Relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date.

SSB 331 Judiciary

Relating to the sale and delivery of preneed funeral services and providing a penalty.

SSB 332 Transportation

Exempting ambulance drivers acting on official duty from child restraint requirements.

SSB 333 Education

Providing additional allowable growth to fund approved elementary school counseling and guidance programs for school districts commencing July 1, 1984.

SSB 334 Local Government

Relating to the insurance premium tax applicable to an association of cities' self-insured workers' compensation plan.

SSB 335 Judiciary

Providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	436	State Government
S. F.	437	State Government
H. F.	123	Transportation
H. F.	198	Commerce
H. F.	466	State Government
H. F.	484	Commerce

**REPORT OF THE SECRETARY
OF THE SENATE**

MR. PRESIDENT: Pursuant to Senate Rule 21 I report that in engrossing Senate Amendment S—3259 to Senate File 159, the following technical correction was made:

1. Page 1, lines three and four, the words "assigned to another person" and "cancelled" were underscored.

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 422 passed the Senate on March 14, 1985.

WILLIAM W. DIELEMAN

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 14, 1985, when the final vote was taken on Senate File 401.

Had I been present, I would have voted "aye" on the bill.

DAVID M. READINGER

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Irvin Bergman, former member of the Senate from Osceola County, who was present in the Senate chamber.

AMENDMENTS FILED

S-3309	S. F.	435	Patrick J. Deluhery
S-3310	S. F.	409	State Government
S-3311	S. F.	266	State Government
S-3312	S. F.	385	Calvin O. Hultman
S-3313	S. F.	385	John W. Jensen
S-3314	S. F.	303	William D. Palmer
S-3315	S. F.	398	Larry Murphy
S-3316	S. F.	207	William W. Dieleman
S-3317	S. F.	322	Charles Bruner
S-3318	S. F.	268	Patrick J. Deluhery
S-3319	S. F.	447	Bob Carr

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:49 p.m., until 9:00 a.m., Friday, March 15, 1985.

JOURNAL OF THE SENATE

SIXTY-FIRST CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 15, 1985

The Senate met in regular session at 9:07 a.m., President Anderson presiding.

Prayer was offered by Reverend Delores Doench, pastor of the Congregational United Church of Christ, Cromwell, Iowa.

The Journal of Thursday, March 14, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Junkins and Gettings for the day on request of Senator Hutchins; Senators Waldstein, Drake, Gentleman and Nystrom for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 455, by Committee on Judiciary, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

Read first time and placed on calendar.

Senate File 456, by Committee on Judiciary, a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date.

Read first time and placed on calendar.

Senate File 457, by Gronstal, a bill for an act relating to the custody of minor children.

Read first time and passed on file.

Senate File 458, by Brown, a bill for an act imposing the state sales, services, and use tax on the rendering, furnishing or performing of advertising services.

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

Senate File 459, by Committee on Agriculture, a bill for an act relating to real property which is subject to foreclosure.

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 33 present, 17 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 287.

Senate File 287

On motion of Senator Holden, Senate File 287, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity, was taken up for consideration.

Senator Holden asked and received unanimous consent that **House File 395** be substituted for **Senate File 287**.

House File 395

On motion of Senator Holden, House File 395, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity, 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. 395) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Neighbour	Priebe	Readinger
Ritserna	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Doyle	Drake	Gentleman	Gettings
Junkins	Mann	Miller, C.P.	Murphy
Nystrom	Palmer	Rife	Waldstein

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

WITHDRAWN

Senator Holden asked and received unanimous consent that Senate File 287 be withdrawn from further consideration of the Senate.

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

The Senate resumed session, Senator Colton presiding.

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

The Chair announced that **Senate File 442** was referred from the Regular Calendar to the committee on **Transportation**.

Senator Welsh asked and received unanimous consent that **Senate File 434** be referred from the Appropriations Calendar to the committee on **Appropriations**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 24, by Committee on Agriculture, a resolution requesting an interim study of the cattle industry.

Read first time and placed on calendar.

Senate Concurrent Resolution 25, by Committee on Natural Resources, a resolution declaring the opposition of the General Assembly to certain proposed federal program reductions.

Read first time and placed on calendar.

INTRODUCTION OF BILL

Senate File 460, by Committee on Commerce, a bill for an act permitting the amendment of a filing statement under the uniform commercial code signed by only the secured party if the amendment is filed to show a change of the name of the secured party.

Read first time and placed on calendar.

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

The Senate resumed session, Senator Colton presiding.

INTRODUCTION OF BILLS

Senate File 461, by Committee on Human Resources, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under

individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations.

Read first time and placed on calendar.

Senate File 462, by Committee on Energy and Environment, a bill for an act relating to public utilities making civil penalties applicable.

Read first time and placed on calendar.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: HOUSE FILE 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3322.

Final Vote: Ayes, 8: Palmer, Husak, Boswell, Brown, Gronstal, Readinger, Rodgers and Soorholtz. Nays, 6: Hester, Bruner, Dieleman, Gratias, Holden and Holt. Absent or not voting, 1: Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 461 (SSB 240), a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Wells, Bruner, Carr, Coleman, Readinger, Hannon and Murphy. Nays, 3: Gentleman, Taylor and Vande Hoef. Absent or not voting, 2: C. Miller and Gratias.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS REFERRED TO COMMITTEE

The Chair announced that **House File 225** was referred from the Ways and Means Calendar to the committee on **State Government**.

The Chair announced that **Senate File 461** was referred from the Regular Calendar to the committee on **Commerce**.

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 12, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

ALSO: That the House has on March 13, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 266, a bill for an act relating to financial incentive payments for the protection of forests and forest soils from damage by grazing.

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

House File 450, a bill for an act to establish a board of educational examiners, to prescribe its duties, and to make appropriations.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 26, by Committee on Education, a resolution to direct the Department of Public Instruction to conduct a study of nonapproved nonpublic schools and home study.

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

INTRODUCTION OF BILLS

Senate File 463, by Committee on Energy and Environment, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date.

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

Senate File 464, by Murphy, a bill for an act authorizing the state racing commission to permit a pari-mutuel licensee to establish and operate a satellite wagering facility including simultaneous telecasts of races on which wagers can be made.

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

COMMITTEE REPORTS

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 462, a bill for an act relating to public utilities making civil penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Carr, Colton, Brown, Bruner, Gronstal and Soorholtz. Nays, 3: Corning, Rife and A. Miller. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 463, (SSB 317A) a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Colton, Carr, Brown, A. Miller, Gronstal, Corning, Soorholtz and Rife. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN WAYS AND MEANS AMENDMENT S-3322.

Final Vote: Ayes, 8: Carr, Bruner, Coleman, Corning, Horn, Rife, Schwengels and Welsh. Nays, 1: Dieleman. Absent or not voting, 5: Nystrom, Drake, Gentleman, Mann and C. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred to committee:

House File 225 and Senate File 409 from the Regular Calendar to the committee on **Appropriations**.

Senate Files 450 and 462 from the Regular Calendar to the committee on **Commerce** to be returned to the Senate Calendar by 5:30 p.m., March 25, 1985.

Senate File 448 from the Regular Calendar to the committee on **Energy** to be returned to the Senate Calendar by 5:30 p.m., March 25, 1985.

Senator Hutchins asked and received unanimous consent that **Senate File 461**, previously referred to the committee on **Commerce** on page 805 of the Senate Journal, be returned to the Senate calendar by 5:30 p.m., March 25, 1985.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 6

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

Senate Joint Resolution 7

STATE GOVERNMENT: Carr, Chair; Coleman and Drake

Senate File 18

HUMAN RESOURCES: Wells, Chair; Taylor and Readinger

**Senate File 106
(Reassigned)**

WAYS AND MEANS: Gratias, Chair; Dieleman, Bruner, Gronstal and Holt

Senate File 281

STATE GOVERNMENT: Dieleman, Chair; Rife and Mann

Senate File 310

WAYS AND MEANS: Gronstal, Chair; Rodgers and Hester

Senate File 360

WAYS AND MEANS: Palmer, Chair; Gronstal, Rodgers, Holt and Holden

Senate File 362

WAYS AND MEANS: Bruner, Chair; Mann, Boswell, Hester and Gratias

Senate File 363

AGRICULTURE: Boswell, Chair; Husak and Soorholtz

Senate File 367

COMMERCE: Kinley, Chair; Palmer and Holden

Senate File 368

COMMERCE: Jensen, Chair; Priebe and Holden

Senate File 369

COMMERCE: Priebe, Chair; Holden and Jensen

Senate File 370

COMMERCE: Jensen, Chair; Holden and Hutchins

Senate File 371

COMMERCE: Palmer, Chair; Nystrom and Tieden

Senate File 372

WAYS AND MEANS: Mann, Chair; Husak and Holden

Senate File 373

WAYS AND MEANS: Brown, Chair; Readinger and Holden

Senate File 379

HUMAN RESOURCES: Hannon, Chair; Taylor and Vande Hoef

Senate File 380

WAYS AND MEANS: Gratias, Chair; Holden, Bruner, Boswell and Gronstal

Senate File 382

WAYS AND MEANS: Bruner, Chair; Mann and Dieleman

Senate File 384

WAYS AND MEANS: Gratias, Chair; Boswell and Dieleman

Senate File 386

JUDICIARY: Gentleman, Chair; Holt and Dieleman

Senate File 388

LOCAL GOVERNMENT: C. Miller, Chair; Wells and Goodwin

Senate File 389

STATE GOVERNMENT: Coleman, Chair; Carr and Gentleman

Senate File 390

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife

Senate File 393

LOCAL GOVERNMENT: Waldstein, Chair; C. Miller and Lind

Senate File 396

COMMERCE: Hutchins, Chair; Priebe and Holden

Senate File 397

TRANSPORTATION: Jensen, Chair; Gettings and Goodwin

Senate File 399

JUDICIARY: Ritsema, Chair; Drake and Horn

Senate File 400

TRANSPORTATION: Doyle, Chair; Kinley and Nystrom

Senate File 402**WAYS AND MEANS: Gronstal, Chair; Holden and Mann****Senate File 404****AGRICULTURE: Priebe, Chair; Waldstein and Hester****Senate File 406****AGRICULTURE: A. Miller, Chair; Hutchins and Waldstein****Senate File 409****STATE GOVERNMENT: Carr, Chair; Nystrom and Dieleman****Senate File 410****WAYS AND MEANS: Holt, Chair; Brown and Gronstal****Senate File 411****STATE GOVERNMENT: Drake, Chair; Schwengels and Welsh****Senate File 412****TRANSPORTATION: A. Miller, Chair; Jensen and Nystrom****Senate File 415****JUDICIARY: Taylor, Chair; Mann and Small****Senate File 418****COMMERCE: Kinley, Chair; Palmer and Holden****Senate File 420****COMMERCE: Priebe, Chair; Holden and Hutchins****Senate File 429****JUDICIARY: Small, Chair; Carr and Hester**

Senate Resolution 8

RULES & ADMINISTRATION: Jensen, Chair; Hutchins and Hultman

House File 170

JUDICIARY: Horn, Chair; Gentleman and Dieleman

House File 196

COMMERCE: Deluhery, Chair; Tieden and Hutchins

House File 210

EDUCATION: Brown, Chair; Gratias and Murphy

House File 308

HUMAN RESOURCES: Wells, Chair; Murphy and Gentleman

House File 378

TRANSPORTATION: Drake, Chair; Kinley and Hall

House File 395

COMMERCE: Hutchins, Chair; Tieden and Holden

House File 398

HUMAN RESOURCES: C. Miller, Chair; Carr and Gratias

House File 419

JUDICIARY: Small, Chair; Ritsema and Carr

House File 460

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Boswell and Ritsema

House File 462

JUDICIARY: Mann, Chair; Ritsema and Small

SSB 267

AGRICULTURE: Vande Hoef, Chair; Hester and Waldstein

SSB 272

AGRICULTURE: Palmer, Chair; Boswell and Soorholtz

SSB 284

STATE GOVERNMENT Carr, Chair; Schwengels and Dieleman

SSB 285

AGRICULTURE: Husak, Chair; Hutchins and Hester

SSB 290

COMMERCE: Deluhery, Chair; Priebe and Tieden

SSB 291

COMMERCE: Palmer, Chair; Hutchins and Nystrom

SSB 295

AGRICULTURE: Hutchins, Chair; Palmer and Hester

SSB 297

STATE GOVERNMENT: Carr, Chair; Corning and Horn

SSB 298

COMMERCE: Holden, Chair; Hutchins and Gronstal

SSB 299

COMMERCE: Deluhery, Chair; Gronstal and Nystrom

SSB 301

COMMERCE: Priebe, Chair; Hutchins and Jensen

SSB 302

LOCAL GOVERNMENT: Hall, Chair; Wells and Lind

SSB 303

LOCAL GOVERNMENT: Wells, Chair, Neighbour and Vande Hoef

SSB 304

AGRICULTURE: Hutchins, Chair; Palmer and Hester

SSB 305

STATE GOVERNMENT: Drake, Chair; Welsh and Schwengels

SSB 306

COMMERCE: Kinley, Chair; Deluhery, Holden and Tieden

SSB 307

COMMERCE: Holden, Chair; Deluhery and Hutchins

SSB 308

COMMERCE: Gronstal, Chair; Hutchins and Jensen

SSB 309

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

SSB 310

EDUCATION: Gratias, Chair; Brown and Hannon

SSB 311

EDUCATION: Murphy, Chair; Colton and Lind

SSB 312-

COMMERCE: Palmer, Chair; Nystrom and Tieden

SSB 313

STATE GOVERNMENT: Carr, Chair; Bruner and Nystrom

SSB 314

JUDICIARY: Ritsema, Chair; Hester and Dieleman

SSB 315

AGRICULTURE: Waldstein, Chair; A. Miller and Vande Hoef

SSB 316

LOCAL GOVERNMENT: C. Miller, Chair; Hall and Goodwin

SSB 317

ENERGY & ENVIRONMENT: Gronstal, Chair; Colton and Corning

SSB 318

HUMAN RESOURCES: Hannon, Chair; Murphy and Gentleman

SSB 319

TRANSPORTATION: Jensen, Chair; Goodwin and Nystrom

SSB 320

EDUCATION: Gratias, Chair; Brown and Murphy

SSB 323

NATURAL RESOURCES: Gratias, Chair; Doyle and Priebe

SSB 324

STATE GOVERNMENT: Drake, Chair; Welsh and Horn

SSB 325

LABOR & INDUSTRIAL RELATIONS: Mann, Chair; Colton and Rife

SSB 327

COMMERCE: Holden, Chair; Kinley and Palmer

SSB 328

COMMERCE: Gronstal, Chair; Hutchins and Nystrom

SSB 329

HUMAN RESOURCES: Hannon, Chair; Murphy and Gentleman

SSB 331

JUDICIARY: Mann, Chair; Horn and Drake

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 24, a concurrent resolution relating to a request for an interim study of the cattle industry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, A. Miller, Palmer, Husak, Soorholtz, Boswell and Waldstein. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 459, a bill for an act relating to real property which is subject to foreclosure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Priebe, A. Miller, Palmer, Husak, Soorholtz, Boswell and Waldstein. Nays, none. Voting present, 3: Hester, Hutchins and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 460 (SSB 298), a bill for an act permitting the amendment of a filing statement under the uniform commercial code signed by only the secured party if the amendment is filed to show a change of the name of the secured party.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 26 (SSB 10), a concurrent resolution to direct the Department of Public Instruction to conduct a study of nonapproved nonpublic schools and home study.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Brown, Gratiyas, Hannon, Murphy, Taylor and Wells. Nays, 2: Horn and Colton. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Hester, Horn, Holt, Small and Taylor. Nays, 1: Carr. Absent or not voting, 2: Mann and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 314, a bill for an act to repeal the rebuttable presumption of negligence on the part of persons operating electrical transmission lines for injuries to person or property.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Drake, Dieleman, Holt, Horn, Hester, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 374, a bill for an act relating to the giving of false information on blood donor or sale application or to blood-taking personnel and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Hester, Holt, Horn, Small, Taylor and Drake. Nays, none. Absent or not voting, 2: Mann and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 399, a bill for an act providing implied consent chemical testing for persons operating vessels on the waters of the state while intoxicated or operating snowmobiles while intoxicated and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 455 (SSB 294), a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Gentleman and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 456 (SSB 168), a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 393, a bill for an act relating to the fee for transferring real estate by the county auditor.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: C. Miller and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 25, a concurrent resolution declaring the opposition of the General Assembly to certain proposed federal program reductions.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Neighbour, Rodgers and Tieden. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 438, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, Dieleman, Coleman, Drake, Horn, Rife, Schwengels and Welsh. Nays, 1: Corning. Absent or not voting, 5: Nystrom, Bruner, Gentleman, Mann and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS**EDUCATION**

Convened: March 14, 1985, 3:34 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Murphy, Taylor and Wells.

Members Absent: Lind (excused).

Committee Business: Assigned bills to subcommittees; debated bills.

Adjourned: 4:10 p.m.

ENERGY & ENVIRONMENT

Convened: March 14, 1985, 3:10 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Brown, A. Miller, Gronstal, Soorholtz, Rife and Hultman.

Members Absent: none.

Committee Business: Approved SSBs 227A and 317A as committee bills.

Adjourned: 3:35 p.m.

JUDICIARY

Convened: March 14, 1985, 4:30 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor.

Members Absent: Mann, Vice Chair and Gentleman.

Committee Business: Assigned bills to subcommittees; approved SSBs 168, 279, 280 and 294 as committee bills; reported Senate Concurrent Resolution 20 and Senate Files 309, 314, 374 and 399 to the Senate calendar.

Adjourned: 5:05 p.m.

LOCAL GOVERNMENT

Convened: March 14, 1985, 4:44 p.m.

Members Present: A. Miller, Chair; Waldstein, Ranking Member; Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: C. Miller, Vice Chair and Lind (both excused).

Committee Business: Assigned bills to subcommittees; discussed and deferred action on SSB 302; approved SSB 65 as a committee bill; approved SSB 334 as amended and ordered redrafted for final approval as a committee bill; reported Senate File 393 to the Senate calendar.

Adjourned: 5:10 p.m.

NATURAL RESOURCES

Convened: March 14, 1985, 3:10 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Neighbour, Rodgers and Tieden.

Members Absent: Schwengels, Ranking Member (excused).

Committee Business: Approved SSB 228 as amended as a committee bill; approved LSB 6080S as a committee bill.

Adjourned: 3:50 p.m.

STATE GOVERNMENT

Convened: March 14, 1985, 5:15 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Corning, Drake, Horn, Rife, Schwengels and Welsh.

Members Absent: Nystrom, Vice Chair; Gentleman, Mann and C. Miller (excused).

Committee Business: Reported Senate File 438 to the Senate calendar; approved SSB 313 as a committee bill; deferred action on Senate File 281; assigned bills to subcommittees.

Adjourned: 5:37 p.m.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following appointments to a state board to a standing committee as indicated for investigation on March 15, 1985:

Jacklyn K. Van Ekeren—Board of Regents—Appropriations
James R. Tyler—Board of Regents—Appropriations
John M. Greig—Board of Regents—Appropriations

LOWELL L. JUNKINS, Chair

BILLS ASSIGNED TO COMMITTEE

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

S. F.	446	Ways and Means
S. F.	452	Judiciary
S. F.	454	Ways and Means

SENATE STUDY BILLS

SSB 336 Labor & Industrial Relations

Relating to the computation of weekly benefits under the unemployment compensation law.

SSB 337 Labor & Industrial Relations

Relating to obligations of employers in the event of plant closings, relocations, and work reductions, providing a civil penalty, and establishing an employee and community assistance division within the department of job service.

SSB 338 Labor & Industrial Relations

Relating to the review jurisdiction of the Iowa department of job service appeal board.

SSB 339 State Government

Creating a residential care licensing classification for the mentally ill.

SSB 340 Commerce

Relating to liability insurance by requiring insurers writing certain types of liability insurance to file annual reports, establishing conditions for the issuing of product liability insurance, and providing for temporary automatic forfeiture of authority to write new policies or renew existing policies in an area of insurance in which the insurer fails to comply with reporting requirements.

AMENDMENTS FILED

S—3320	S. F.	381	Edgar H. Holden
S—3321	S. F.	266	Beverly A. Hannon
S—3322	H. F.	225	Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:07 p.m., until 10:00 a.m., Monday, March 18, 1985.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
 FORTY-FIRST SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, March 18, 1985

The Senate met in regular session at 10:17 a.m., President pro tempore Rodgers presiding.

Prayer was offered by Father Michael Wagner, pastor of the St. Mary's Catholic Church, Storm Lake, Iowa.

The Journal of Friday, March 15, 1985, 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 14, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 378, a bill for an act relating to the share of the surviving spouse in intestate succession.

ALSO: That the House has on March 14, 1985, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 150, a bill for an act relating to the appointment date for a secretary of a school board (S—3323).

Senate File 269, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions (S—3324).

ALSO: That the House has on March 14, 1985, passed with amendment H—3354, the following bill in which the concurrence of the Senate is asked:

House File 469, a bill for an act to require a sufficient number of wells at each sanitary disposal project to adequately monitor ground water quality.

This bill was read first time and passed on file.

ALSO: That the House has on March 14, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 505, a bill for an act relating to an annual review of local human service programs by the county board of social welfare.

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

House File 539, a bill for an act relating to the jurisdiction and control of the great river road.

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

House File 548, a bill for an act requiring a retroactive increase in medical assistance reimbursement rates for psychologists, effective upon publication.

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

House File 549, a bill for an act relating to domestic abuse counseling; to coordination of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 27, by Committee on Judiciary, a resolution relating to the judiciary.

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

INTRODUCTION OF BILLS

Senate File 465, by Committee on Agriculture, a bill for an act relating to agricultural limestone.

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

Senate File 466, by Committee on Agriculture, a bill for an act relating to the bonding requirements for a holder of a permit to sell seed.

Read first time and placed on calendar.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 15, 1985

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 (received March 15, 1985):

To the Advisory Investment Board (IPERS) pursuant to Section 97B.8, 1985 Code of Iowa:

Anita E. Seitsinger, Oskaloosa, Mahaska County, Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

Donald E. Snyder, Forest City, Winnebago County, Iowa, for a six-year term beginning May 1, 1985, and ending April 30, 1991.

To the Board of Accountancy pursuant to Section 116.3, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Jerry R. Coughlon, Des Moines, Polk County, Iowa; Daryl K. Henze, Urbandale, Polk County, Iowa, and Kenneth A. Putzier, Storm Lake, Buena Vista County, Iowa.

To the Board of Architectural Examiners pursuant to Section 118.1, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Richard W. Pattschull, Iowa City, Johnson County, Iowa, and James W. Wilkins, Des Moines, Polk County, Iowa.

To the Board of Certification of Waterworks and Waste Waterworks Operators pursuant to Section 455B.53, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Vivian Creswick, Cantril, Van Buren County, Iowa, and Gregory M. Johnson, Burlington, Des Moines County, Iowa.

To the Board of Corrections pursuant to Section 217A.4, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Mildred E. Elliott, Mount Ayr, Ringgold County, Iowa, and Billie D. Lloyd, Davenport, Scott County, Iowa.

Ann Schultz, Mason City, Cerro Gordo County, Iowa, to the Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1985 Code of Iowa, for a three-year term beginning May 1, 1985, and ending April 30, 1988.

To the Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Lester Beachy, Des Moines, Polk County, Iowa; Rosalie M. Cahill, West Branch, Cedar County, Iowa; Marcia K. Dudden, Reinbeck, Grundy County, Iowa; Alexa L. Mayner, Independence, Buchanan County, Iowa, and Donna Mae Venteicher, Fort Madison, Lee County, Iowa.

To the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1985 Code of Iowa, for three-year terms beginning March 1, 1985, and ending April 30, 1988:

Mark Ackelson, Des Moines, Polk County, Iowa, and Craig D. Ritland, Waterloo, Black Hawk County, Iowa.

To the Campaign Finance Disclosure Commission pursuant to Section 56.9, 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Elwin D. Farwell, Decorah, Winneshiek County, Iowa, and Jean Robb, Moravia, Monroe County, Iowa.

J.M. Law, Keokuk, Lee County, Iowa, to the City Development Board pursuant to Section 368.9, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986:

Russell H. Watt, Marshalltown, Marshall 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, 1985, and ending April 30, 1988.

To the Commission on Judicial Qualifications pursuant to Section 605.26, 1983 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Nancy Barcelo, Iowa City, Johnson County, Iowa, and Shirley A. McClain, Des Moines, Polk County, Iowa.

Norman L. Pawlewski, Des Moines, Polk County, Iowa, as Commissioner of Public Health pursuant to Section 135.2, 1985 Code of Iowa, for a four-year term beginning May 1, 1985, and ending April 30, 1989.

James R. Maret, Waukee, Dallas County, Iowa, as Consumer Advocate pursuant to Section 475A.1, 1985 Code of Iowa, for a two-year term beginning May 1, 1985, and ending April 30, 1987.

To the Council on Human Services pursuant to Section 217.2, 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Sister Mary Augustine Roth, Cedar Rapids, Linn County, Iowa, and Madelene L. Townsend, Davenport, Scott County, Iowa.

To the County Finance Committee pursuant to Section 333A.2, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Beverly A. Anderson, Cherokee, Cherokee County, Iowa, and Ann M. Pedersen, Fort Madison, Lee County, Iowa.

To the Credit Union Review Board pursuant to Section 533.53, 1983 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Tom N. Sarvis, Dubuque, Dubuque County, Iowa; William G. Sizer, Waterloo, Black Hawk County, Iowa, and H. Idris Thomas, Mason City, Cerro Gordo County, Iowa.

Lorna Mae Burnside, Storm Lake, Buena Vista County, Iowa, to the Criminal and Juvenile Justice Advisory Council pursuant to Section 80C.2, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

To the Energy Policy Council pursuant to Section 93.2, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Julio A. Peguero, Clinton, Clinton County, Iowa, and Suzan M. Stewart, Sioux City, Woodbury County, Iowa.

Robert C. Landess, Des Moines, Polk County, Iowa, as Industrial Commissioner pursuant to Section 86.1, 1985 Code of Iowa, for a six-year term beginning May 1, 1985, and ending April 30, 1991.

Ann Jorgensen, Garrison, Benton County, Iowa, to the Iowa Beer and Liquor Control Council pursuant to Section 123.5, 1985 Code of Iowa, for a five-year term beginning May 1, 1985, and ending April 30, 1990.

Barbara Binnie, Des Moines, Polk 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, 1985, and ending April 30, 1990.

Mary Helgeson Ellis, Marshalltown, Marshall County, Iowa, as Director of the Iowa Department of Substance Abuse pursuant to Section 125.8, 1985 Code of Iowa, for a four-year term beginning May 1, 1985, and ending April 30, 1989.

To the Iowa Higher Education Loan Authority pursuant to Section 261A.6, 1985 Code of Iowa:

Marilyn Tucker, Cedar Rapids, Linn County, Iowa, for a six-year term beginning May 1, 1985 and ending April 30, 1991.

James H. Weinman, Indianola, Warren County, Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

To the Iowa High Technology Council pursuant to Section 28.51, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Varel G. Bailey, Anita, Cass County, Iowa; Donna Keppy, Wilton, Muscatine County, Iowa; Robert D. Looft, Council Bluffs, Pottawattamie County, Iowa; Becky S. Richardson, Stockton, Muscatine County, Iowa; Clair L. Scott, Cedar Rapids, Linn County, Iowa, and Ann L. Shodde, Des Moines, Polk County, Iowa.

To the Iowa Housing Finance Authority pursuant to Section 220.2, 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Elizabeth Ann Colby, Mason City, Cerro Gordo County, Iowa; Betty J. Davis, Des Moines, Polk County, Iowa, and Max McCord, Indianola, Warren County, Iowa.

To the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Jacqueline Day, Des Moines, Polk County, Iowa, and John P. Stark, Nevada, Story County, Iowa.

To the Iowa Product Development Corporation pursuant to Section 28.83, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Harry Bookey, Des Moines, Polk County, Iowa; Karla J. Fultz, Des Moines, Polk County, Iowa, and Florine Swanson, Galt, Wright County, Iowa.

To the Iowa Real Estate Commission pursuant to Section 117.8, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

James R. Berry, Iowa City, Johnson County, Iowa, and Marlys S. Nielsen, Chariton, Lucas County, Iowa.

To the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1983 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Marguerite E. Cothorn, Des Moines, Polk County, Iowa; Jane Eastin, Bettendorf, Scott County, Iowa; Karl A. Nelson, Shell Rock, Butler County, Iowa, and John R. Stokes, Sioux City, Woodbury County, Iowa.

Paul Franzenburg, Des Moines, Polk County, Iowa, to the Iowa State Commerce Commission pursuant to Section 474.1, 1985 Code of Iowa, for a six-year term beginning May 1, 1985, and ending April 30, 1991.

To the Job Service Advisory Council pursuant to Section 96.11(5), 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Thomas H. Chapman, Jr., Newton, Jasper County, Iowa; William G. Gerhard, Iowa City, Johnson County, Iowa, and Merlin D. Hulse, Clarence, Cedar County, Iowa.

Allen J. Meier, Cedar Rapids, Linn County, Iowa, as Labor Commissioner pursuant to Section 91.2, 1985 Code of Iowa, for a two-year term beginning May 1, 1985, and ending April 30, 1987.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Leroy K. Berryhill, Fort Dodge, Webster County, Iowa; Mary Ann Dolan, Tipton, Cedar County, Iowa; Margaret E. McDonald, Cherokee, Cherokee County, Iowa; Yvonne M. Schildberg, Greenfield, Adair County, Iowa, and Arlene D. Steege, Council Bluffs, Pottawattamie County, Iowa.

To the Merit Employment Commission pursuant to Section 19A.6, 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Joan D. Mitchell, Grinnell, Poweshiek County, Iowa, and Mary C. Neuhauser, Iowa City, Johnson County, Iowa.

To the Small Business Advisory Council pursuant to Section 28.44, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Richard S. Burchett, Harlan, Shelby County, Iowa; Darlene J. Coomes, Dubuque, Dubuque County, Iowa; Doris A. Hansen, Sioux City, Woodbury County, Iowa; Janice M. Johnson, Waverly, Bremer County, Iowa, and Mary E. Sukup, Hampton, Franklin County, Iowa.

To the State Board of Barber Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

C. Philip Robertson, Burlington, Des Moines County, Iowa, and Donna J. Weias, Dow City, Crawford County, Iowa.

To the State Board of Chiropractic Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Donald J. Meylor, LeMars, Plymouth County, Iowa, and Kenneth L. Mueller, Harlan, Shelby County, Iowa.

To the State Board of Cosmetology Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Maxine O. Cochran, Oskaloosa, Mahaska County, Iowa, and Betty A. Schindler, Williamsburg, Iowa County, Iowa.

To the State Board of Dental Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Janice A. Brown, Ankeny, Polk County, Iowa; Diann Wilder-Tomlinson, Marshalltown, Marshall County, Iowa, and Myron L. Zeigler, Spirit Lake, Dickinson County, Iowa.

To the State Board of Engineering and Land Surveying Examiners pursuant to Section 114.3, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending May 30, 1988:

Richard A. Marr, Muscatine, Muscatine County, Iowa, and Frank L. Pulley, Des Moines, Polk County, Iowa.

To the State Board of Medical Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

John R. Anderson, Boone, Boone County, Iowa; Ann O'Neill, Armstrong, Emmet County, Iowa, and Norman Rose, Des Moines, Polk County, Iowa.

To the State Board of Mortuary Science Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Jan S. Miller, Des Moines, Polk County, Iowa, and Eugene J. Siegert, Dubuque, Dubuque County, Iowa.

To the State Board of Nursing Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Karen R. Sojka, Harlan, Shelby County, Iowa, and Pamela K. Triolo, Iowa City, Johnson County, Iowa.

To the State Board of Optometry Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

James W. Hartzell, Des Moines, Polk County, Iowa, and Rex W. Hinson, Marshalltown, Marshall County, Iowa.

To the State Board of Pharmacy Examiners pursuant to Section 147.12-20, 1985 Code of Iowa for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Jerry M. Hartleip, Waterloo, Black Hawk County, Iowa, and John F. Rode, Mt. Pleasant, Henry County, Iowa.

To the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Mary W. Greenleaf, Shenandoah, Page County, Iowa, and Marcia J. Olsen-Taege, West Burlington, Des Moines County, Iowa.

To the State Board of Podiatry Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Margaret Ann Harden, Perry, Dallas County, Iowa, and Edward N. Wiltgen, Sioux City, Woodbury County, Iowa.

To the State Board of Psychology Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Mrs. Phyllis S. Hansell, Des Moines, Polk County, Iowa, and Abigail Sivan, Iowa City, Johnson County, Iowa.

Virginia J. Poffenberger, Perry, Dallas County, Iowa, to the State Board of Social Work Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for a three-year term beginning May 1, 1985, and ending April 30, 1988.

To the State Board of Speech Pathology and Audiology Examiners pursuant to Section 147.12-20, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Gary L. Huff, Des Moines, Polk County, Iowa; Kathryn A. Kerst, Des Moines, Polk County, Iowa, and Ann Tank, Des Moines, Polk County, Iowa.

James V. Hicks, Knoxville, Marion County, Iowa, to the State Board of Tax Review pursuant to Section 421.1, 1985 Code of Iowa, for a six-year term beginning May 1, 1985, and ending April 30, 1991.

To the State Board of Veterinary Medicine Examiners pursuant to Section 169.5, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Elmer A. Grismore, II, Corydon, Wayne County, Iowa, and James A. Lowe, Iowa City, Johnson County, Iowa.

To the State Conservation Commission pursuant to Section 107.1, 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

John D. Field, Hamburg, Fremont County, Iowa, and Sam Kennedy, III, Clear Lake, Cerro Gordo County, Iowa.

To the State Foster Care Review Board pursuant to Section 237.16, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Jacqueline Mayfield, Coralville, Johnson County, Iowa, and Mark Wolraich, Iowa City, Johnson County, Iowa.

Nancy M. Jones, Ainsworth, Washington County, Iowa, to the State Health Facilities Council pursuant to Section 135.62, 1985 Code of Iowa, for a six-year term beginning May 1, 1985, and ending April 30, 1991.

To the State Historical Board pursuant to Section 303.1, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

Margaret N. Keyes, Iowa City, Johnson County, Iowa; James A. Nepple, Muscatine, Muscatine County, Iowa, and Joseph W. Walt, Indianola, Warren County, Iowa.

To the State Judicial Nominating Commission pursuant to Section 46.1, 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Lee A. Dallager, Des Moines, Polk County, Iowa, and Flora E. Haker, Vinton, Benton County, Iowa.

To the State Racing Commission pursuant to Section 99D.5, 1985 Code of Iowa, for three-year terms beginning May 1, 1985, and ending April 30, 1988:

L.C. Pike, Grundy Center, Grundy County, Iowa, and Sally Brown Prickett, Cumming, Warren County, Iowa.

To the State Soil Conservation Committee pursuant to Section 467A.4, 1985 Code of Iowa, for six-year terms beginning May 1, 1985, and ending April 30, 1991:

Oliver J. Emerson, Waterville, Allamakee County, Iowa; Thomas R. Scott, Iowa City, Johnson County, Iowa, and Clifford S. Stille, Macedonia, Pottawattamie County, Iowa.

To the State Transportation Commission pursuant to Section 307.3, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1988:

David L. Clemens, Peosta, Dubuque County, Iowa, and Douglas K. Shull, Indianola, Warren County, Iowa.

Thomas H. Huston, Columbus Junction, Louisa County, Iowa, as Superintendent of Banking pursuant to Section 524.201, 1983 Code of Iowa, for a four-year term beginning May 1, 1985, and ending April 30, 1989.

To the Water, Air and Waste Management Commission pursuant to Section 455B.104, 1985 Code of Iowa, for four-year terms beginning May 1, 1985, and ending April 30, 1989:

Donna M. Hammitz, Woodbine, Harrison County, Iowa; Robert W. Schultz, Columbus Junction, Louisa County, Iowa; Allan T. Thoms, Dubuque, Dubuque County, Iowa; Richard L. Timmerman, Jefferson, Greene County, Iowa, and Keith E. Uhl, Des Moines, Polk County, Iowa.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

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 out of order Senate Files 407, 133, 413, 414, 199 and Senate Concurrent Resolution 18.

Senate File 407

On motion of Senator Rife, Senate File 407, a bill for an act relating to the licensing of real estate brokers and real estate

salespersons and providing for an effective date, was taken up for consideration.

Senator Coleman asked and received unanimous consent that further action on **Senate File 407** be deferred.

Senate File 133

On motion of Senator Hultman, Senate File 133, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent to take up amendment S—3305.

Senator Hultman offered amendment S—3305 filed by him on March 14, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3305 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that further action on **Senate File 133** be deferred.

Senate File 413

On motion of Senator Coleman, Senate File 413, a bill for an act relating to farm-to-market road fund allocations, 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. 413) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Miller, A. V.
Miller, C.P.	Murphy	Neighbour	Nystrom

Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Deluhery	Mann	Palmer	Priebe
Taylor	Vande Hoef		

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

Senate File 414

On motion of Senator Gratias, Senate File 414, a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district, 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. 414) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Readinger	Rife	Ritsema
Rodgers	Schwengels	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Deluhery	Mann	Palmer	Priebe
Small	Taylor	Vande Hoef	

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

Senate File 199

On motion of Senator Miller of Des Moines, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—3254 filed by the committee of State Government on March 11, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3254 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. 199) the vote was:

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

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Miller, A. V.	Miller, C. P.	Murphy
Neighbour	Nystrom	Rife	Rodgers
Wells	Welsh		

Nays, 16:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holt	Hultman
Jensen	Lind	Readinger	Ritsema
Schwengels	Soorholtz	Tieden	Waldstein

Absent or not voting, 8:

Deluhery
Priebe

Holden
Small

Mann
Taylor

Palmer
Vande Hoef

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 18

On motion of Senator Bruner, Senate Concurrent Resolution 18, a resolution regarding the eligibility of certain farm families for food stamp assistance, with report of committee recommending passage was taken up for consideration.

Senator Bruner moved the adoption of Senate Concurrent Resolution 18, which motion prevailed by a voice vote.

INTRODUCTION OF BILLS

Senate File 467, by Committee on Judiciary, a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceedings.

Read first time and placed on calendar.

Senate File 468, by Committee on Judiciary, a bill for an act relating to the time for hearing of contested small claims.

Read first time and placed on calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:17 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 14, 1985, 3:55 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported Senate File 459 and Senate Concurrent Resolution 24 to the Senate calendar; approved SSBs 253 and 315 as committee bills; approved SSB 267 and ordered redrafted for final approval as a committee bill; deferred action on Senate File 406.

Adjourned: 4:28 p.m.

STATE GOVERNMENT

Convened: March 15, 1985, 11:15 a.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Corning, Horn, Rife, Schwengels and Welsh.

Members Absent: Nystrom, Ranking Member; Gentleman, Mann and C. Miller (all excused) and Drake.

Committee Business: Reported House File 225, as amended by Ways and Means committee amendment S—3322, to the Senate calendar.

Adjourned: 11:40 a.m.

WAYS AND MEANS

Convened: March 15, 1985, 9:30 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz.

Members Absent: Mann.

Committee Business: Reported House File 225 to the Senate calendar as amended.

Adjourned: 9:40 a.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 18th day of March, 1985:

Senate File 117.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 465 (SSB 315), a bill for an act relating to agricultural limestone.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, A. Miller, Soorholtz, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 466 (SSB 253), a bill for an act relating to the bonding requirements for a holder of a permit to sell seeds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, A. Miller, Soorholtz, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 472 (SSB 310), a bill for an act relating to the confidentiality of records regarding certain persons seeking public employment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Brown, Horn, Gratias, Corning, Hannon and Wells. Nays, 3: Colton, Murphy and Taylor. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 27, a concurrent resolution relating to the judiciary.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 467 (SSB 279), a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceeding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 468 (SSB 280), a bill for an act relating to the time for hearing of contested small claims.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Gentleman and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 473 (SSB 313), a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Carr, Dieleman, Bruner, Coleman, Corning, Horn, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 5: Nystrom, Drake, Gentleman, Mann and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITIONS

The following petitions favoring legislation increasing the appropriation to the Iowa State Transit Assistance Fund were presented and placed on file by:

Senator Junkins from 252 residents of Clayton, Howard, Fayette and Marion Counties.

Senator Tieden from sixty-three residents of Clayton and Winneshiek Counties.

Senator Murphy from twenty-three residents of Fayette County.

The following petitions favoring legislation relating to the private instruction received by certain children between the ages of seven and sixteen were presented and placed on file by:

Senator Hannon from twenty-two residents of Linn County.

Senator Junkins from thirty-three residents of Iowa.

Senator Readinger from one hundred fifty-six residents of Polk County.

The following petitions were presented and placed on file by:

Senator Gratias from five hundred seventy-two residents of Floyd County opposing legislation prohibiting the sale of take-out cold beer.

Senator Junkins from sixty-eight residents of Des Moines County favoring legislation to fund local retired senior volunteer programs and volunteer stations.

Senator Tieden from sixty residents of Allamakee County opposing legislation appropriating moneys from the IPERS fund for any purpose other than payment of pension funds to entitled recipients.

AMENDMENTS FILED

S—3323	S. F.	150	House amendment
S—3324	S. F.	269	House amendment
S—3325	S. F.	407	C. Joseph Coleman
S—3326	H. F.	377	Richard F. Drake
S—3327	S. F.	439	Thomas A. Lind
S—3328	S. F.	439	Thomas A. Lind
S—3329	S. F.	439	Thomas A. Lind
S—3330	S. F.	439	Thomas A. Lind
S—3331	S. F.	439	Thomas A. Lind
S—3332	S. F.	439	Thomas A. Lind

AFTERNOON SESSION

The Senate reconvened at 3:41 p.m., President Anderson presiding.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 15, 1985

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

Dear Ms. Thayer:

Pursuant to Section 2.32(4), 1985 Code of Iowa, I submit the deferral of the Historical Department Executive Director. A final candidate has not been selected.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read and referred to the committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 469, by Dieleman, a bill for an act relating to definitions computing time and age.

Read first time and passed on file.

Senate File 470, by Hannon, a bill for an act to provide a procedure for the board of directors of a school district to make up school days canceled due to inclement weather.

Read first time and passed on file.

Senate File 471, by Lind, a bill for an act requiring sellers of new gray-market vehicles to advise purchasers of the extent of the warranty coverage and providing a penalty.

Read first time and passed on file.

Senate File 472, by Committee on Education, a bill for an act relating to the confidentiality of records regarding certain persons seeking public employment.

Read first time and placed on calendar.

Senate File 473, by Committee on State Government, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness.

Read first time and placed on calendar.

Senate File 474, by Committee on Local Government, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

Read first time and placed on calendar.

Senate File 475, by Mann, a bill for an act relating to corporate takeovers and providing penalties.

Read first time and passed on file.

Senate File 476, by Mann, a bill for an act to prohibit the relinquishment of prior seniority rights as a condition of employment.

Read first time and passed on file.

Senate File 477, by Mann, a bill for an act relating to the search of students or protected student areas.

Read first time and passed on file.

Senate File 478, by Mann, a bill for an act relating to the ownership and possession of a pistol or revolver, and including penalties.

Read first time and passed on file.

Senate File 479, by Wells, a bill for an act relating to a tenant's right to know about hazardous chemicals used or stored at a residential rental property.

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 42 present, 8 absent and a quorum present.

BUSINESS PENDING

Senate File 407

The Senate resumed consideration of Senate File 407, previously deferred.

Senator Coleman offered amendment S—3325 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3325 was adopted by a voice vote.

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?" (S.F. 407) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Readinger	Rife
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, 8:

Gentleman	Goodwin	Gratias	Holden
Holt	Jensen	Ritsema	Tieden

Absent or not voting, 2:

Priebe	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 BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 218.

Senate File 218

On motion of Senator Taylor, Senate File 218, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—3160 filed by the committee on Judiciary on February 26, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3160 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?" (S.F. 218) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Priebe	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 Hutchins asked and received unanimous consent to take up out of order Senate File 293.

Senate File 293

On motion of Senator Miller of Des Moines, Senate File 293, a bill for an act creating a fire service institute, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—3264 filed by the committee on State Government on March 12, 1985, to page 3 of the bill.

Senator Carr asked and received unanimous consent that further action on amendment S—3264 be deferred.

Senator Miller of Des Moines offered amendment S—3247 filed by him on March 8, 1985, to pages 1, 2 and 3 of the bill.

Senator Miller of Des Moines asked and received unanimous consent that further action on amendment S—3247 be deferred.

Senator Miller of Des Moines offered amendment S—3340 filed by him from the floor to pages 1, 2 and 3 of the bill and moved its adoption.

Amendment S—3340 was adopted by a voice vote.

With the adoption of amendment S—3340, the Chair ruled the following amendments out of order:

S—3264 to page 3 of the bill, previously deferred.

S—3247 to pages 1, 2 and 3 of the bill, previously deferred.

S—3172 filed by Senator Miller of Des Moines on February 27, 1985, to page 3 of the bill.

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. 293) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Readinger	Rife	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, 5:

Corning	Gentleman	Holden	Ritsema
Waldstein			

Absent or not voting, 2:

Priebe	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 Hutchins asked and received unanimous consent to take up out of order Senate File 343.

Senate File 343

On motion of Senator Mann, Senate File 343, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties and liability, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—3274 filed by the committee on Judiciary on March 12, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 25.

Amendment S—3274 lost.

Senator Coleman asked and received unanimous consent that further action on **Senate File 343** be deferred.

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

The Senate resumed session, Senator Boswell presiding.

INTRODUCTION OF BILL

Senate File 480, by Committee on Education, a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication.

Read first time and placed on calendar.

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 March 15, 1985, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 41, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984.

House File 186, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, and to district court reports of criminal convictions.

APPENDIX**SENATE STUDY BILLS****SSB 341 Education**

Requiring that teacher contracts provide teachers with time every day away from the students.

SSB 342 Human Resources

Relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded.

SSB 343 Human Resources

Relating to information included on a death certificate.

SSB 344 Local Government

Relating to the control of animals, the protection of animals by antirabies vaccination, providing a penalty for violations, and providing an effective date.

SSB 345 Commerce

Relating to underinsured and uninsured motorist coverage.

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 451, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the State relating to agricultural affairs, energy and natural resources management.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3338.

Final Vote: Ayes, 16: Welsh, Small, Tieden, Horn, C. Miller, Dieleman, Gettings, Gronstal, Colton, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind. Nays, none. Absent or not voting, 2: Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—3348 and S—3349.

Final Vote: Ayes, 10: Welsh, Small, Deluhery, Gronstal, Murphy, Husak, Ritsema, Gentleman, Readinger and Lind. Nays, 7: Tieden, Horn, C. Miller, Dieleman, Gettings, Colton and Ritsema. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 398, a bill for an act relating to school reorganization.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3336.

Final Vote: Ayes, 9: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 427, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Brown, Horn, Corning, Colton, Taylor and Wells. Nays, none. Absent or not voting, 4: Gratias, Hannon, Murphy and Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 480 (SSB 322), a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Brown, Horn, Colton, Corning, Taylor and Wells. Nays, none. Absent or not voting, 4: Gratias, Hannon, Murphy and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 474 (SSB 65), a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: A. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: C. Miller and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 145, a bill for an act permitting the winning of cash prizes not to exceed fifty dollars per night at an annual game night conducted by a qualified organization licensed to conduct games of skill, chance and raffles.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Bruner, Coleman, Corning, Gentleman, Horn, C. Miller, Rife and Welsh. Nays, 1: Dieleman. Absent or not voting, 4: Nystrom, Drake, Mann and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 278, a bill for an act to establish the Iowa cultural grants program within the office for planning and programming.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Gentleman, Horn, C. Miller, Bife and Schwengels. Nays, none. Absent or not voting, 4: Nystrom, Drake, Mann and Welsh.

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.	457	Judiciary
S. F.	458	Ways and Means
S. F.	464	State Government
H. F.	266	Natural Resources
H. F.	450	Education

PRESENTATION OF VISITORS

The Chair welcomed Juan and Piedad Tijerino from Nicaragua, the guests of Senator Bruner.

AMENDMENTS FILED

S-3333	S. F.	459	Bill Hutchins Emil J. Husak
S-3334	S. F.	116	Charles Bruner
S-3335	S. F.	356	Donald V. Doyle
S-3336	S. F.	398	Education
S-3337	S. F.	461	Charles Bruner
S-3338	S. F.	451	Appropriations
S-3339	S. F.	403	Ray Taylor Beverly A. Hannon

S-3340	S. F.	293	Charles P. Miller
S-3341	S. F.	445	Richard F. Drake
S-3342	S. F.	453	Bob Carr
S-3343	S. F.	343	C. Joseph Coleman
S-3344	S. F.	456	Donald V. Doyle
S-3345	S. F.	395	Norman G. Goodwin
S-3346	H.F.	225	William W. Dieleman
S-3347	H.F.	225	William W. Dieleman
S-3348	H.F.	225	Appropriations
S-3349	H.F.	225	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Tuesday, March 19, 1985.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 19, 1985

The Senate met in regular session at 9:15 a.m., President Anderson presiding.

Prayer was offered by Father John W. Stark, pastor of the St. Joseph Catholic Church, Elkader, Iowa.

The Journal of Monday, March 18, 1985, 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 15, 1985, passed the following bills in which the concurrence of the House was asked:

Senate File 90, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

Senate File 149, a bill for an act relating to acceptance of the federal rehabilitation Acts.

Senate File 215, a bill for an act requiring a free and appropriate public education for children requiring special education.

ALSO: That the House has on March 15, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 428, a bill for an act relating to the use of gizzard shad as bait.

This bill was read first time and passed on file.

House File 471, a bill for an act relating to ads which are published, broadcast, displayed or disseminated to the public by a public utility and making civil penalties applicable.

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

ALSO: That the House has on March 18, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 454, a bill for an act requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses.

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

House File 494, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project.

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

INTRODUCTION OF BILLS

Senate File 481, by Horn, a bill for an act relating to security deposits required of motor fuel dealers by motor fuel distributors or franchisers.

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

Senate File 482, by Holden, a bill for an act relating to the use of two-party checks for rent payments of persons receiving aid to dependent children.

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

Senate File 483, by Holden, Coleman, Tieden, Jensen and Waldstein, a bill for an act abolishing the energy policy council, transferring some of the functions and employees of the energy policy council to other state agencies, and providing for an effective date.

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

Senate File 484, by Mann, a bill for an act relating to the imposition of fines as part of a sentence for the conviction of a criminal offense, and providing penalties.

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

BILL REFERRED TO COMMITTEE

Senator Priebe asked and received unanimous consent that **Senate Concurrent Resolution 24** be referred from the Regular Calendar to the committee on **Agriculture**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:25 a.m., until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:35 a.m., 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 19, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 550, a bill for an act making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent.

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

House File 587, a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties.

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

House File 588, a bill for an act relating to the joint trial of defendants charged in the same indictment or information.

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

INTRODUCTION OF BILLS

Senate File 485, by Committee on Commerce, a bill for an act relating to the investment powers of state chartered savings and loan associations and savings banks.

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

Senate File 486, by Schwengels, a bill for an act relating to elections for franchises for municipal water.

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

Senate File 487, by Hultman, a bill for an act relating to the installation of cable television facilities at a residential building or real estate owned by a person other than the franchisee or permit grantee.

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 42 present, 8 absent and a quorum present.

The Senate stood at ease for the purpose of party caucuses until the fall of the gavel.

The Senate resumed session, President pro tempore Rodgers presiding.

RECESS

On motion of Senator Colton, the Senate recessed at 12:40 p.m., until 3:00 p.m.

APPENDIX**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration placed the following appointees to state boards and commissions on the **En Bloc Confirmation Calendar** on March 19, 1985, and recommended the appointments be confirmed by the Senate:

Board of Landscape Architectural Examiners:

Craig D. Ritland
Mark Ackelson

Iowa Law Enforcement Academy Council

Jacqueline Day
John P. Stark

State Board of Medical Examiners

John R. Anderson
Norman Rose
Ann O'Neill

Mental Health and Mental Retardation Commission

Mary Ann Dolan
Arlene D. Steege
Leroy K. Berryhill
Yvonne M. Schildberg
Margaret E. McDonald

State Board of Dental Examiners

Janice A. Brown
Myron L. Zeigler
Diann Wilder-Tomlinson

State Board of Engineering and Land Surveying Examiners

Richard A. Marr
Frank L. Pulley

Board of Examiners for Hearing Aid Dealers

Ann Schultz

Council on Human Services

Madalene L. Townsend
Sister Mary Augustine Roth

Industrial Commissioner

Robert C. Landess

Job Service Advisory Council

Merlin D. Hulse
Thomas H. Chapman, Jr.
William G. Gerhard

State Judicial Nominating Commission

Flora E. Haker
Lee A. Dallager

Commission on Judicial Qualifications

Nancy Barcelo
Shirley A. McClain

Advisory Investment Board (IPERS)

Donald E. Snyder
Anita E. Seitsinger

Board of Accountancy

Jerry R. Coughlon
Kenneth A. Putzier
Daryl K. Henze

Board of Architectural Examiners

Richard W. Pattschull
James W. Wilkins

State Board of Barber Examiners

Donna J. Weiss
C. Philip Robertson

State Board of Chiropractic Examiners

Kenneth L. Mueller
Donald J. Meylor

City Development Board

J.M. Law

Consumer Advocate

James R. Maret

State Board of Cosmetology Examiners

Maxine O. Cochran
Betty A. Schindler

County Finance Committee

Anne M. Pedersen
Beverly A. Anderson

Credit Union Review Board

Tom N. Sarvis
William G. Sizer
H. Idris Thomas

Merit Employment Commission

Mary C. Neuhauser
Joan D. Mitchell

State Board of Mortuary Science Examiners

Jan S. Miller
Eugene J. Siegert

State Board of Nursing Examiners

Karen R. Sojka
Pamela K. Triolo

State Board of Examiners for Nursing Home Administrators

Donna Mae Venteicher
Marcia K. Dudden
Rosalie M. Cahill
Alexa L. Mayner
Lester Beachy

State Board of Optometry Examiners

James W. Hartzell
Rex W. Hinson

State Board of Pharmacy Examiners

Jerry M. Hartleip
John F. Rode

State Board of Physical and Occupational Therapy Examiners

Marcia J. Olsen-Taeger
Mary W. Greenleaf

State Board of Podiatry Examiners

Edward N. Wiltgen
Margaret Ann Harden

State Board of Psychology Examiners

Mrs. Phyllis S. Hansell
Abigail Sivan

Iowa Real Estate Commission

James R. Berry
Marlys S. Nielsen

State Board of Speech Pathology and Audiology Examiners

Gary L. Huff
Ann Tank
Kathryn A. Kerst

State Board of Tax Review

James V. Hicks

State Board of Veterinary Medicine Examiners

James A. Lowe
Elmer A. Grismore, II

Board of Certification of Waterworks and Waste Waterworks Operators

Vivian Creswick
Gregory M. Johnson

LOWELL L. JUNKINS, Chair

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointments to state boards and commissions to **standing committees** as indicated for investigation on March 19, 1985:

AGRICULTURE COMMITTEE:

State Soil Conservation Committee

Oliver J. Emerson
Thomas R. Scott
Clifford S. Stille

COMMERCE COMMITTEE:

Iowa State Commerce Commission

Paul Franzenburg

Superintendent of Banking
Thomas H. Huston

EDUCATION COMMITTEE:

Iowa Higher Education Loan Authority
James H. Weinman
Marilyn Tucker

ENERGY COMMITTEE:

Energy Policy Council
Suzan M. Stewart
Julio A. Peguero

HUMAN RESOURCES COMMITTEE:

State Health Facilities Council
Nancy M. Jones
Commissioner of Public Health
Norman L. Pawlewski
Director of Iowa Department of Substance Abuse
Mary Helgeson Ellis
State Board of Social Work Examiners
Virginia J. Poffenberger
State Foster Care Review Board
Jacqueline Mayfield
Mark Wolraich

JUDICIARY COMMITTEE:

Criminal and Juvenile Justice Advisory Council
Lorna Mae Burnside
Iowa State Civil Rights Commission
Karl A. Nelson
Jane Eastin
Marguerite E. Cothorn
John R. Stokes
State Racing Commission
Sally Brown Prickett
L.C. Pike
Board of Parole
Barbara Binnie

LABOR & INDUSTRIAL RELATIONS COMMITTEE:

Labor Commissioner
Allen J. Meier

NATURAL RESOURCES COMMITTEE:

State Conservation Commission

Sam Kennedy, III
John D. Field

Water, Air and Waste Management Commission

Keith E. Uhl
Robert W. Schultz
Allan T. Thoms
Richard L. Timmerman
Donna M. Hammitt

SMALL BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE:

Iowa High Technology Council

Clair L. Scott
Becky S. Richardson
Robert D. Looft
Donna Keppy
Ann L. Shodde
Varel G. Bailey

Small Business Advisory Council

Richard S. Burchett
Darlene J. Coomes
Doris A. Hansen
Mary E. Sukup
Janice M. Johnson

Iowa Product Development Corporation

Harry Bookey
Karla J. Fultz
Florine Swanson

STATE GOVERNMENT COMMITTEE:

Iowa Housing Finance Authority

Elizabeth Ann Colby
Betty J. Davis
Max McCord

State Historical Board

Joseph W. Walt
Margaret N. Keyes
James A. Nepple

Board of Corrections

Mildred E. Elliott
Billie D. Lloyd

Campaign Finance Disclosure Commission

Jean Robb
Elwin D. Farwell

Commission for the Blind

Russell H. Watt

Iowa Beer and Liquor Control Council
Ann Jorgensen

TRANSPORTATION COMMITTEE:

State Transportation Commission
Douglas K. Shull
David L. Clemens

LOWELL L. JUNKINS, Chair

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 409, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3350.

Final Vote: Ayes, 10: Welsh, Small, Horn, Deluhery, Dieleman, Gettings, Gronstal, Colton, Holt and Lind. Nays, 7: Tieden, C. Miller, Murphy, Husak, Ritsema, Gentleman and Readinger. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 348, a bill for an act relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Kinley, Deluhery, Gronstal, Jensen, Palmer, Priebe and Tieden. Nays, 2: Holden and Nystrom. Absent or not voting, 1: Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 485 (SSBs 256 and 257), a bill for an act relating to the investment powers of state chartered savings and loan associations and savings banks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 452, a bill for an act permitting the use of deposit insurance obtained from a deposit insurance corporation to secure the deposit of public funds.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Gronstal, Holden, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, 1: Deluhery. Absent or not voting, 1: Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: HOUSE FILE 338, a bill for an act relating to the term of office of the labor commissioner.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife and Wells. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 18, 1985, 11:28 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, C. Miller, Dieleman, Gettings, Gronstal, Colton, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind.

Members Absent: Deluhery (excused) and Murphy.

Committee Business: Reported Senate File 451 as amended to the Senate calendar.

Adjourned: 11:38 a.m.

APPROPRIATIONS

Convened: March 18, 1985, 4:45 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Schwengels.

Committee Business: Reported House File 225 as amended and Senate File 409 as amended to the Senate calendar; assigned House File 292 to a subcommittee.

Adjourned: 5:14 p.m.

STATE GOVERNMENT

Convened: March 18, 1985, 1:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Corning, Gentleman, Horn, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Nystrom, Ranking Member (excused), Drake and Mann.

Committee Business: Reported Senate Files 145 and 278 to the Senate calendar; deferred action on Senate File 110; assigned bills to subcommittees.

Adjourned: 1:55 p.m.

PRESENTATION OF VISITORS

Senator Jensen introduced members of the Waverly Shell Rock High School Choir and announced they would be singing in the Capitol Rotunda at noon. The choir will be representing North America at the Fourteenth International Youth and Music Festival in Vienna, Austria in July 1985.

AFTERNOON SESSION

The Senate reconvened at 3:16 p.m., 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 15, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 315, a bill for an act relating to drug product selection.

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

House File 495, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage and support orders, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, providing exceptions to garnishment limitations, and the recording of income tax refund or rebate payments by the clerk.

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

ALSO: That the House has on March 15, 1985, passed with amendment H-3358 the following bill in which the concurrence of the Senate is asked:

House File 541, a bill for an act to provide for the establishment of the Iowa higher education facilities program.

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

INTRODUCTION OF BILLS

Senate File 488, by Schwengels, a bill for an act relating to the Iowa farm trust fund.

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

Senate File 489, by Miller of Des Moines, a bill for an act relating to wrecked or salvage vehicles.

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 49 present, 1 absent and a quorum present.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 225.

House File 225

On motion of Senator Palmer, House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, with report of committee on Ways and Means recommending amendment and passage, report of committee on State Government

recommending amendment (Ways and Means committee amendment S—3322) and passage and report of committee on Appropriations recommending amendments and passage, was taken up for consideration.

Senator Palmer offered amendment S—3322 filed by the committee on Ways and Means on March 15, 1985, to strike everything after the enacting clause and to the title page of the bill.

President Anderson took the chair at 3:35 p.m.

Senator Rodgers offered amendment S—3372 filed by Senators Rodgers, et al., from the floor to page 2 of amendment S—3322 and moved its adoption.

Amendment S—3372 was adopted by a voice vote.

Senator Dieleman offered amendment S—3346 filed by him on March 18, 1985, to page 3 of amendment S—3322 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3346 to amendment S—3322 be adopted?" (H.F. 225) the vote was:

Ayes, 25:

Boswell	Bruner	Corning	Dieleman
Gentleman	Goodwin	Gratias	Hannon
Hester	Holden	Holt	Hultman
Jensen	Lind	Neighbour	Readinger
Rife	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Nays, 24:

Brown	Carr	Coleman	Colton
Deluhery	Doyle	Gettings	Gronstal
Hall	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Rodgers	Soorholtz	Wells

Absent or not voting, 1:

Drake

Amendment S—3346 was adopted.

Senator Horn withdrew amendment S—3377 filed by him from the floor to pages 6 and 16 of amendment S—3322.

Senator Palmer moved the adoption of amendment S—3322 as amended.

A record roll call was requested.

On the question "Shall amendment S—3322 as amended be adopted?" (H.F. 225) the vote was:

Ayes, 20:

Coleman	Colton	Gettings	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Kinley	Neighbour
Palmer	Rife	Ritsema	Soorholtz
Tieden	Vande Hoef	Waldstein	Wells

Nays, 29:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Drake
Gentleman	Goodwin	Gronstal	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Priebe	Readinger
Rodgers	Schwengels	Small	Taylor
Welsh			

Absent or not voting, 1:

Doyle

Amendment S—3322 as amended lost.

Senator Welsh offered amendment S—3349 filed by the committee on Appropriations on March 18, 1985, to pages 2, 4, 9 and 13 of the bill and moved its adoption.

Amendment S—3349 was adopted by a voice vote.

Senator Small offered amendment S—3348 filed by the committee on Appropriations on March 18, 1985, to pages 20 through 51 and to the title page of the bill.

Senator Colton offered amendment S—3360 filed by him from the floor to pages 1 through 13 and 24 of amendment S—3348.

Senator Welsh raised the point of order that amendment S—3360 to amendment S—3348 was not germane.

The Chair ruled the point not well taken and amendment S—3360 to amendment S—3348 in order.

Senator Colton moved the adoption of amendment S—3360 to amendment S—3348 and requested a record roll call.

On the question "Shall amendment S—3360 to amendment S—3348 be adopted?" (H.F. 225) the vote was:

Ayes, 22:

Brown	Bruner	Coleman	Colton
Dieleman	Doyle	Gettings	Gratias
Hall	Hannon	Horn	Kinley
Miller, C.P.	Neighbour	Palmer	Priebe
Rife	Ritsema	Taylor	Tieden
Vande Hoef	Wells		

Nays, 28:

Boswell	Carr	Corning	Deluhery
Drake	Gentleman	Goodwin	Gronstal
Hester	Holden	Holt	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Readinger	Rodgers	Schwengels
Small	Soorholtz	Waldstein	Welsh

Amendment S—3360 lost.

Senator Horn offered amendment S—3380 filed by him from the floor to pages 1 through 13 and 24 of amendment S—3348.

Senator Welsh raised the point of order that amendment S—3380 to S—3348 was not germane.

The Chair ruled the point well and amendment S—3380 to S—3348 out of order.

Senator Horn offered amendment S—3383 filed by him from the floor to pages 1 through 13 and 24 of amendment S—3348 and moved its adoption.

Amendment S—3383 lost by a voice vote.

Senator Dieleman offered amendment S—3353 filed by Senators Dieleman, Welsh and Small from the floor to pages 1, 8 and 9 of amendment S—3348.

Senator Ritsema raised the point of order that amendment S—3353 to S—3348 was not germane.

The Chair ruled the point not well taken and amendment S—3353 to S—3348 in order.

Senator Dieleman moved the adoption of amendment S—3353 to amendment S—3348, which motion prevailed by a voice vote.

With the adoption of amendment S—3353 to S—3348, the Chair ruled the following amendments to amendment S—3348 out of order:

S—3362 filed by Senator Dieleman from the floor to pages 1 and 8.

S—3370 filed by Senator Gronstal from the floor to pages 1 and 9.

S—3376 filed by Senators Horn and Colton from the floor to pages 1, 8, 10, 12, 16 through 20 and 24.

S—3397 filed by Senator Gettings from the floor to pages 1, 9, 10 and 12.

Senator Gentleman offered amendment S—3369 filed by her from the floor to pages 1, 3 and 10 of amendment S—3348 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3369 to amendment S—3348 be adopted?" (H.F. 225) the vote was:

Ayes, 32:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hannon	Hester
Horn	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rife	Schwengels
Soorholtz	Taylor	Vande Hoef	Wells

Nays, 18:

Carr	Dieleman	Hall	Holden
Holt	Hultman	Husak	Hutchins
Lind	Murphy	Neighbour	Readinger
Ritsema	Rodgers	Small	Tieden
Waldstein	Welsh		

Amendment S—3369 was adopted.

With the adoption of amendment S—3349, the Chair ruled amendment S—3371 filed by Senators Rodgers, et al., from the floor, to page 4 of the bill, out of order.

Senator Palmer offered amendment S—3391 filed by Senators Palmer and Horn from the floor to pages 1 and 8 of amendment S—3348.

Senator Welsh raised the point of order that amendment S—3391 was not germane.

The Chair ruled the point not well taken and amendment S—3391 to amendment S—3348 in order.

Senator Palmer moved the adoption of amendment S—3391 to amendment S—3348.

A record roll call was requested.

On the question "Shall amendment S—3391 to amendment S—3348 be adopted?" (H.F. 225) the vote was:

Ayes, 24:

Brown	Coleman	Colton	Corning
Dieleman	Doyle	Gentleman	Gettings
Gratias	Hannon	Holt	Horn

Kinley
Neighbour
Rife

Lind
Palmer
Soorholtz

Mann
Priebe
Taylor

Miller, C.P.
Readinger
Tieden

Nays, 25:

Boswell
Drake
Hester
Hutchins
Murphy
Schwengels
Welsh

Bruner
Goodwin
Holden
Jensen
Nystrom
Small

Carr
Gronstal
Hultman
Junkins
Ritsema
Vande Hoef

Deluhery
Hall
Husak
Miller, A.V.
Rodgers
Waldstein

Absent or not voting, 1:

Wells

Amendment S—3391 lost.

Senator Welsh offered amendment S—3365 filed by him from the floor to pages 1, 2, 3, 10 and 11 of amendment S—3348 and moved its adoption.

Amendment S—3365 was adopted by a voice vote.

With the adoption of amendment S—3365 to S—3348, the Chair ruled the following amendments to amendment S—3348 out of order:

S—3354 filed by Senator Welsh from the floor to page 2.

S—3367 filed by Senator Small from the floor to page 2.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vande Hoef for the remainder of the afternoon and Wednesday morning, March 20, 1985 on request of Senator Hultman.

BUSINESS PENDING

House File 225

The Senate resumed consideration of House File 225.

Senator Kinley offered amendment S—3384 filed by Senators Kinley, et al., from the floor to pages 1, 3, 4, 8, 10 and 18 of amendment S—3348 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3384 to amendment S—3348 be adopted?” (H.F. 225) the vote was:

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

Ayes, 24:

Brown	Coleman	Colton	Dieleman
Doyle	Gettings	Gratias	Hall
Hannon	Holden	Holt	Horn
Kinley	Miller, C.P.	Neighbour	Palmer
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Waldstein

Nays, 24:

Boswell	Bruner	Carr	Corning
Deluhery	Drake	Gentleman	Goodwin
Gronstal	Hester	Hultman	Husak
Hutchins	Jensen	Junkins	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Readinger	Rodgers	Small	Welsh

Absent or not voting, 2:

Vande Hoef Wells

The Chair voted “aye” to break the tie and amendment S—3384 was adopted.

The Chair ruled amendment S—3399 filed by Senator Welsh from the floor to amendment S—3349, out of order.

With the adoption of amendment S—3384, the Chair ruled amendment S—3402 filed by Senators Horn and Colton from the floor to pages 8, 10, 12, 16 through 20 and 24 of amendment S—3348, out of order.

Senator Welsh offered amendment S—3388 filed by him from the floor to page 4 of amendment S—3348 and moved its adoption.

Amendment S—3388 was adopted by a voice vote.

Senator Small offered amendment S—3366 filed by him from the floor to page 7 of amendment S—3348 and moved its adoption.

Amendment S—3366 was adopted by a voice vote.

Senator Horn offered amendment S—3386 filed by him from the floor to pages 8 and 12 of amendment S—3348.

(House File 225, amendment S—3348 and amendment S—3386 to amendment S—3348 pending on adjournment).

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 19, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 379, a bill for an act relating to rules for diabetes education programs.

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

House File 555, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming.

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

House File 558, a bill for an act relating to the liabilities of mental health advocates.

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

House File 584, a bill for an act relating to information contained on interstate probation and parole compact transfer requests.

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

INTRODUCTION OF BILLS

Senate File 490, by Committee on Judiciary, a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest city, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken.

Read first time and placed on calendar.

Senate File 491, by Committee on Human Resources, a bill for an act relating to merged area hospitals.

Read first time and placed on calendar.

Senate File 492, by Committee on Education, a bill for an act relating to moneys available to school districts and area education agencies.

Read first time and placed on calendar.

Senate File 493, by Committee on Transportation, a bill for an act requiring an odometer certification with each renewal of certain motor vehicle registrations and including a penalty.

Read first time and placed on calendar.

· BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 164** be referred from the Regular Calendar to the committee on Appropriations.

APPENDIX

SENATE STUDY BILLS

SSB 346 Labor and Industrial Relations

Creating a shared-work program to reduce unemployment and provide partial benefits to employees affected.

SSB 347 Labor and Industrial Relations

Relating to the unemployment compensation disqualifications for voluntarily quitting employment during a trial period of employment and for participating in a labor dispute.

SSB 348 State Government

Establishing an Iowa peace institute, to prescribe its duties, and to make an appropriation.

SSB 349 State Government

A concurrent resolution to encourage the establishment of the United States Institute of Peace in Iowa.

SSB 350 Human Resources

Relating to the administration of maternal and child health programs and crippled children's programs by the department of health.

SSB 351 Education

Relating to moneys available to school districts and area education agencies.

SSB 352 State Government

Creating state park advisory committees, providing for the election of members, and specifying their duties.

SSB 353 State Government

Relating to the board of parole.

SSB 354 Judiciary

Providing specific restrictions upon a restitution order for damages resulting directly from a violation of section 321.281.

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

APPROPRIATIONS: As members of the Board of Regents:

JOHN M. GREIG: Murphy, Chair; Holt and Horn.

JAMES R. TYLER: Murphy, Chair; Gentleman and Horn.

JACKLYN K. VAN EKEREN: Gronstal, Chair; Tieden and Welsh.

NOTICE OF HEARING

The Senate Human Resources Committee and Subcommittee assigned to investigate the reappointment of Mr. Norman Pawlewski to the Department of Health will conduct a public hearing.

All interested persons wishing to speak should contact Senator Wells or his Secretary by noon on Friday, March 22, 1985.

**JAMES D. WELLS, Chair
COMMITTEE ON HUMAN RESOURCES**

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 19th day of March, 1985:

Senate Files 32 and 378.

**K. MARIE THAYER
Secretary of the Senate**

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 492 (SSB 351), a bill for an act relating to moneys available to school districts and area education agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Brown, Gratias, Colton, Corning, Hannon, Lind, Murphy and Taylor. Nays, none. Absent or not voting, 2: Horn and Wells.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 491, a bill for an act relating to merged area hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Wells, Bruner, Hannon, Gentleman, Readinger, Taylor, Vande Hoef and C. Miller. Nays, none. Absent or not voting, 4: Coleman, Carr, Murphy and Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 308, a bill for an act relating to clinical privileges of certain licensed practitioners.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Wells, Bruner, Coleman, Carr, C. Miller, Readinger, Gentleman, Hannon, Vande Hoef, Murphy and Taylor. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 334, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 452, a bill for an act authorizing conversion of certain real property to a mobile home.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 490 (SSB 292), a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 84, a bill for an act relating to the regulation of firearms by a political subdivision.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, C. Miller, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: Waldstein and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 397, a bill for an act to require drivers of certain school buses to wear seat belts when the school bus is in motion and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 493 (SSB 245), a bill for an act requiring an odometer certification with each renewal of certain motor vehicle registrations and including a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: As I attended a class at the Judicial College at the University of Nevada on Prison Crowding and Crime in the Street, I was necessarily absent from the Senate chamber March 11 through 15.

Had I been present, I would have voted "aye" on the following bills: Senate Files 101, 159, 261, 313, 319, 337, 356, 383, 385, 387, 391, 392, 401 and 422; "yes" on Senate Joint Resolution 3; "aye" on the En Bloc Confirmation Calendar; and "aye" on House Files 186, 311 and 395.

I would have voted "nay" on House File 183.

CHARLES P. MILLER

BILLS ASSIGNED TO COMMITTEE

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

S. F.	469	State Government
S. F.	470	Education

S. F.	471	Transportation
S. F.	475	Judiciary
S. F.	476	Labor
S. F.	477	Judiciary
S. F.	478	Judiciary
S. F.	479	Energy & Environment
H.F.	505	Local Government
H.F.	539	Transportation
H.F.	548	Appropriations
H.F.	549	Human Resources

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3365 to amendment S—3348 to House File 225 was adopted by the Senate on March 19, 1985.

RICHARD F. DRAKE

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3384 to amendment S—3348 to House File 225 was adopted by the Senate on March 19, 1985.

JOE BROWN

AMENDMENTS FILED

S—3350	S. F.	409	Appropriations
S—3351	S. F.	468	Donald V. Doyle
S—3352	S. C. R.	26	Ray Taylor
S—3353	H.F.	225	William W. Dieleman
			Joe J. Welsh
			Arthur A. Small, Jr.
S—3354	H.F.	225	Joe Welsh
S—3355	H.F.	225	Arne Waldstein
S—3356	H.F.	225	Tom Mann, Jr.
			George R. Kinley
			Milo Colton
			Joe Welsh
			Michael E. Gronstal
S—3357	H.F.	225	Michael E. Gronstal
S—3358	H.F.	225	Michael E. Gronstal

S-3359	H.F.	460	Jack Rife
S-3360	H.F.	225	Milo Colton
S-3361	H.F.	225	Joe J. Welsh
S-3362	H.F.	225	William W. Dieleman
S-3363	S.F.	266	Charles Bruner
S-3364	H.F.	225	Joe Welsh
S-3365	H.F.	225	Joe Welsh
S-3366	H.F.	225	Arthur A. Small, Jr.
S-3367	H.F.	225	Arthur A. Small, Jr.
S-3368	H.F.	225	Julia B. Gentleman
S-3369	H.F.	225	Julia B. Gentleman
S-3370	H.F.	225	Michael E. Gronstal
S-3371	H.F.	225	Norman Rodgers
			Richard Drake
			Leonard Boswell
			Norman Goodwin
			Joe Brown
			Jack Hester
			Milo Colton
			Edgar Holden
			William W. Dieleman
			Lee Holt
			Donald Doyle
			John Jensen
			Donald Gettings
			Thomas Lind
			Michael Gronstal
			Jack Nystrom
			Jack Rife
			Beverly Hannon
			John Soorholtz
			Wally Horn
			Ray Taylor
			Alvin V. Miller
			Larry Murphy
			Berl E. Priebe
			James D. Wells
			Emil J. Husak
S-3372	H.F.	225	Norman Rodgers
			Richard Drake
			Leonard Boswell
			Norman Goodwin

Joe Brown
 Jack Hester
 Milo Colton
 Edgar H. Holden
 William W. Dieleman
 Lee Holt
 Donald V. Doyle
 John Jensen
 Donald Gettings
 Thomas Lind
 Michael Gronstal
 Jack Nystrom
 Jack Rife
 Beverly Hannon
 John Soorholtz
 Wally Horn
 Ray Taylor
 Alvin V. Miller
 Larry Murphy
 Berl E. Priebe
 James D. Wells
 Emil Husak
 Arne Waldstein
 Charles Bruner
 Berl E. Priebe
 John Soorholtz
 Jack Rife
 Bill Palmer
 Alvin Miller
 Richard Drake
 Arne Waldstein
 John Jensen
 Wally Horn
 Milo Colton
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 Wally Horn

S-3373	H.F.	225
S-3374	H.F.	225
S-3375	H.F.	225
S-3376	H.F.	225
S-3377	H.F.	225
S-3378	H.F.	225
S-3379	H.F.	225
S-3380	H.F.	225
S-3381	H.F.	225
S-3382	H.F.	225
S-3383	H.F.	225

S—3384	H.F.	225	George R. Kinley John Soorholtz Jack Rife Milo Colton Wally E. Horn Richard Vande Hoef
S—3385	H.F.	225	Arthur A. Small, Jr.
S—3386	H.F.	225	Wally Horn
S—3387	H.F.	225	Joe Welsh
S—3388	H.F.	225	Joe Welsh
S—3389	S. F.	480	Joe Brown
S—3390	H.F.	225	Arne Waldstein
S—3391	H.F.	225	William D. Palmer Wally E. Horn
S—3392	H.F.	225	Charles Bruner
S—3393	S. F.	403	Beverly A. Hannon
S—3394	S. F.	343	Tom Mann, Jr.
S—3395	S. F.	343	Tom Mann, Jr.
S—3396	S. F.	343	Tom Mann, Jr.
S—3397	H.F.	225	Donald Gettings
S—3398	H.F.	225	Arthur A. Small, Jr.
S—3399	H.F.	225	Joe J. Welsh
S—3400	H.F.	225	Larry Murphy John A. Neighbour
S—3401	S. F.	324	William W. Dieleman
S—3402	H.F.	225	Wally Horn Milo Colton
S—3403	H.F.	225	Arthur A. Small, Jr.
S—3404	H.F.	225	Wally Horn

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Wednesday, March 20, 1985.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 20, 1985

The Senate met in regular session at 9:16 a.m., President Anderson presiding.

Prayer was offered by Marvin Arnpriester, pastor of the United Methodist Church, Carroll, Iowa.

The Journal of Tuesday, March 19, 1985, was approved.

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 BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Files 244 and 381.

Senate File 244

On motion of Senator Bruner, Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions, with report of committee on Judiciary recommending amendments and passage, was taken up for consideration.

Senator Gentleman offered amendment S-3270 filed by the committee on Judiciary on March 12, 1985, to pages 1, 2, 3 and 5 of the bill.

Senator Gentleman offered amendment S—3273 filed by the committee on Judiciary on March 12, 1985 to amendment S—3270 and moved its adoption.

Amendment S—3273 was adopted by a voice vote.

Senator Mann asked and received unanimous consent that further action on **Senate File 244** and amendment S—3270 as amended be **deferred**.

Senate File 381

On motion of Senator Mann, Senate File 381, a bill for an act relating to the enticing away of a minor and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—3276 filed by the committee on Judiciary on March 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3276 was adopted by a voice vote.

Senator Mann offered amendment S—3275 filed by the committee on Judiciary on March 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3275 was adopted by a voice vote.

Senator Holden offered amendment S—3320 filed by him on March 15, 1985, to page 1 of the bill.

Senator Dieleman raised the point of order that amendment S—3320 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3320 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?" (S.F. 381) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorhóltz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 1:

Lind

Absent or not voting, 2:

Hultman Vande Hoef

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

BUSINESS PENDING

Senate File 244

The Senate resumed consideration of Senate File 244 and amendment S—3270 as amended, previously deferred.

Senator Gentleman moved the adoption of amendment S—3270 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. 244) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall

Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, 3:

Gratias	Mann	Readinger
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Absent or not voting, 1:

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 March 19, 1985)

House File 225

The Senate resumed consideration of House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers;

creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, and amendments S—3348 and S—3386 to S—3348, deferred on March 19, 1985.

Senator Horn moved the adoption of amendment S—3386 to pages 8 and 12 of amendment S—3348, which motion lost by a voice vote.

Senator Gronstal offered amendment S—3357 filed by him on March 19, 1985, to pages 8 and 9 of amendment S—3348 and moved its adoption.

Amendment S—3357 lost by a voice vote.

Senator Horn offered amendment S—3410 filed by him from the floor to pages 8 and 12 of amendment S—3348.

Senator Welsh raised the point of order that amendment S—3410 to S—3348 was not germane.

The Chair ruled the point well taken and amendment S—3410 to S—3348 out of order.

Senator Small offered amendment S—3403 filed by him on March 19, 1985, to pages 10 and 12 of amendment S—3348 and moved its adoption.

Amendment S—3403 was adopted by a voice vote.

Senator Welsh withdrew amendment S—3364 filed by him on March 19, 1985, to page 12 of amendment S—3348.

Senator Small withdrew amendment S—3385 filed by him on March 19, 1985, to page 14 of amendment S—3348.

Senator Welsh offered amendment S—3387 filed by him on March 19, 1985, to page 14 of amendment S—3348 and moved its adoption.

Amendment S—3387 was adopted by a voice vote.

Senator Small offered amendment S—3398 filed by him on March 19, 1985, to page 14 of amendment S—3348 and moved its adoption.

Amendment S—3398 was adopted by a voice vote.

Senator Murphy offered amendment S—3400 filed by Senators Murphy and Neighbour on March 19, 1985, to pages 14 and 21 of amendment S—3348 and moved its adoption.

Amendment S—3400 was adopted by a voice vote.

With the adoption of amendment S—3400 to amendment S—3488, the Chair ruled the following amendments to amendment S—3348 out of order:

S—3374 filed by Senator Bruner on March 19, 1985, to pages 14 and 22.

S—3392 filed by Senator Bruner on March 19, 1985, to pages 14 and 22.

Senator Priebe offered amendment S—3375 filed by Senators Priebe, et al., on March 19, 1985, to pages 14 through 16 of amendment S—3348 and moved its adoption.

Amendment S—3375 was adopted by a voice vote.

Senator Horn offered amendment S—3379 filed by him on March 19, 1985, to pages 17 through 19 of amendment S—3348 and moved its adoption.

Amendment S—3379 lost by a voice vote.

Senator Gronstal offered amendment S—3358 filed by him on March 19, 1985, to page 17 of amendment S—3348 and moved its adoption.

Amendment S—3358 was adopted by a voice vote.

With the adoption of amendment S—3358 to amendment S—3348, the Chair ruled amendment S—3382 filed by Senator Horn on March 19, 1985, to page 17 of amendment S—3348, out of order.

Senator Horn offered amendment S—3378 filed by him on March 19, 1985, to pages 18 and 20 of amendment S—3348.

Senator Welsh raised the point of order that amendment S—3378 to amendment S—3348 was out of order because the same subject matter had been considered in amendment S—3384 to S—3348 on March 19, 1985.

The Chair ruled the point well taken and amendment S—3378 to amendment S—3348 out of order.

Senator Brown offered amendment S—3407 filed by him from the floor to page 23 of amendment S—3348 and moved its adoption.

Amendment S—3407 was adopted by a voice vote.

Senator Mann offered amendment S—3356 filed by Senators Mann, et al., on March 19, 1985, to page 24 of amendment S—3348.

Senator Small raised the point of order that amendment S—3356 to amendment S—3348 was not germane.

The Chair ruled the point well taken and amendment S—3356 to amendment S—3348 out of order.

With the adoption of amendment S—3369 to amendment S—3348 on March 19, 1985, the Chair ruled amendment S—3412 filed by Senator Mann from the floor to pages 1, 4, 10 and 11 of amendment S—3348, out of order.

With the adoption of amendment S—3365 to amendment S—3348 on March 19, 1985, the Chair ruled amendment S—3404 filed by Senator Horn on March 19, 1985, to pages 1, 2, 3 and 11 of amendment S—3348, out of order.

With the adoption of amendment S—3369 to amendment S—3348 on March 19, 1985, the Chair ruled amendment S—3406 filed by Senator Horn from the floor to pages 3, 4 and 11 of amendment S—3348, out of order.

With the adoption of amendment S—3366 to amendment S—3348 on March 19, 1985, the Chair ruled amendment S—3405 filed by Senator Horn from the floor to pages 4, 8, 11 and 12 of amendment S—3348, out of order.

Senator Horn withdrew amendment S—3411 filed by him from the floor to pages 8 and 12 of amendment S—3348.

Senator Drake called up the motion to reconsider the vote by which amendment S—3365 to amendment S—3348 to House File 225 was adopted by the Senate on March 19, 1985, found on page 885 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3365 by Senator Welsh to pages 1, 2, 3, 10 and 11 of amendment S—3348, was taken up for reconsideration.

Senator Drake called for a division of amendment S—3365 to amendment S—3348:

Division S—3365A: Lines 19 and 20.

Division S—3365B: Lines 3 through 18 and lines 21 through 24.

Senator Welsh withdrew division S—3365A to amendment S—3348.

Senator Drake moved the adoption of division S—3365B to amendment S—3348, which motion prevailed by a voice vote.

With the reconsideration of amendment S—3365 to amendment S—3348 and the withdrawal of division S—3365A, the Chair announced that amendment S—3354 to amendment S—3348, ruled out of order on March 19, 1985, was now in order.

Senator Welsh offered amendment S—3354 to page 2 of amendment S—3348 and moved its adoption.

Amendment S—3354 to amendment S—3348 was adopted by a voice vote.

Senator Bruner offered amendment S—3414 filed by him from the floor to pages 14 and 22 of amendment S—3348 and moved its adoption.

Amendment S—3414 was adopted by a voice vote.

Senator Brown called up the motion to reconsider the vote by which amendment S—3384 to amendment S—3348 to House File 225 was adopted by the Senate on March 19, 1985, found on page 885 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 225) the vote was:

Ayes, 27:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Drake
Gentleman	Goodwin	Gronstal	Hester
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Priebe	Readinger
Rodgers	Small	Welsh	

Nays, 23:

Coleman	Colton	Doyle	Gettings
Gratias	Hall	Hannon	Holden
Holt	Horn	Kinley	Miller, C.P.
Neighbour	Palmer	Rife	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

The motion prevailed and amendment S—3384 by Senators Kinley, et al., to pages 1, 3, 4, 8, 10 and 18 of amendment S—3348, was taken up for reconsideration.

Senator Kinley moved the adoption of amendment S—3384 to amendment S—3348 and requested a record roll call.

On the question "Shall amendment S—3384 to amendment S—3348 be adopted?" (H.F. 225) the vote was:

Ayes, 25:

Coleman	Colton	Dieleman	Doyle
Gettings	Gratias	Hall	Hannon
Holden	Holt	Horn	Kinley
Miller, C.P.	Neighbour	Palmer	Priebe
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, 25:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Drake	Gentleman
Goodwin	Gronstal	Hester	Hultman
Husak	Hutchins	Jensen	Junkins

Lind
Nystrom
Welsh

Mann
Readinger

Miller, A. V.
Rodgers

Murphy
Small

The Chair voted "aye" to break the tie and amendment S—3384 to amendment S—3348 was adopted.

(House File 225 and amendment S—3348 as amended, pending on recess).

INTRODUCTION OF BILLS

• **Senate File 494**, by Rodgers, a bill for an act relating to a preference for residents in the awarding of contracts for public improvements and a statement required of nonresident bidders regarding penalty assessments and court litigation.

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

Senate File 495, by Carr, a bill for an act allowing public utilities to use abandoned rail lines for the operation of underground transmission lines or pipelines conditioned upon construction and maintenance of bikeways.

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

Senate File 496, by Waldstein, a bill for an act relating to financial responsibility requirements for the operation and registration of motor vehicles in this state, making penalties applicable.

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

Senate File 497, by Committee on Transportation, a bill for an act prohibiting subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums.

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

Senate File 498, by Committee on Transportation, a bill for an act allowing the state department of transportation to issue a certificate of exemption from child restraint requirements when the department finds the nature of particular nonfamily uses makes compliance impracticable.

Read first time and placed on calendar.

Senate File 499, by Committee on Transportation, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty.

Read first time and placed on calendar.

Senate File 500, by Committee on Judiciary, a bill for an act related to the sale and delivery of preneed funeral services and providing a penalty.

Read first time and placed on calendar.

Senate File 501, by Committee on Judiciary, a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties.

Read first time and placed on calendar.

Senate File 502, by Committee on Commerce, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

Read first time and placed on calendar.

Senate File 503, by Committee on Local Government, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' self-insured workers' compensation plan.

Read first time and placed on calendar.

Senate File 504, by Committee on Local Government, a bill for an act relating to the control of animals, the protection of animals by antirabies vaccination, providing a penalty for violations, and providing an effective date.

Read first time and placed on calendar.

Senate File 505, by Committee on Transportation, a bill for an act relating to the regulation of motor carriers and making penalties applicable.

Read first time and placed on calendar.

RECESS

**On motion of Senator Junkins, the Senate recessed at 12:35 p.m.,
until 1:45 p.m.**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

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

AGRICULTURE

As members of the State Soil Conservation Committee:

OLIVER J. EMERSON: Hutchins, Chair; Hester and Boswell.
CLIFFORD S. STILLE: Palmer, Chair; Waldstein and Vande Hoef
THOMAS R. SCOTT: Husak, Chair; Vande Hoef and Soorholtz.

EDUCATION

As members of the Iowa Higher Education Loan Authority:

MARILYN TUCKER: Hannon, Chair; Wells and Taylor
JAMES H. WEINMAN: Hannon, Chair; Wells and Taylor

ENERGY

As members of the Energy Policy Council:

JULIO A. PEGUERO: Corning, Chair; Soorholtz and Brown
SUZAN M. STEWART: Colton, Chair; A. Miller and Rife

JUDICIARY

As members of the Iowa State Civil Rights Commission:

MARGUERITE E. COTHORN: Mann, Chair; Gentleman and Dieleman
JANE EASTIN: Deluhery, Chair; Mann and Taylor
KARL A. NELSON: Mann, Chair; Deluhery and Drake
JOHN R. STOKES: Doyle, Chair; Mann and Hester

As members of the State Racing Commission:

L.C. PIKE: Mann, Chair; Ritsema and Doyle
SALLY BROWN PRICKETT: Mann, Chair; Ritsema and Doyle

As a member of the Criminal and Juvenile Justice Advisory Council:

LORNA MAE BURNSIDE: Holt, Chair; Ritsema and Coleman

As a member of the Board of Parole:

BARBARA BINNIE: Mann, Chair; Carr and Gentleman

LABOR AND INDUSTRIAL RELATIONS

As Labor Commissioner:

ALLEN J. MEIER: Gettings, Chair; Deluhery and Jensen

SMALL BUSINESS & ECONOMIC DEVELOPMENT

As members of the Iowa High Technology Council:

DONNA KEPPY: Boswell, Chair; Readinger and Small

CLAIR L. SCOTT: Boswell, Chair; Small and Readinger

ANN L. SHODDE: Readinger, Chair; Small and Boswell

VAREL G. BAILEY: Readinger, Chair; Boswell and Small

BECKY S. RICHARDSON: Small, Chair; Boswell and Readinger

ROBERT D. LOOFT: Small, Chair; Boswell and Readinger

As members of the Iowa Product Development Corporation:

HARRY BOOKEY: Rodgers, Chair; Neighbour and Waldstein

FLORINE SWANSON: Rodgers, Chair; Neighbour and Waldstein

KARLA J. FULTZ: Rodgers, Chair; Neighbour and Waldstein

As members of the Small Business Advisory Council:

DARLENE J. COOMES: Boswell, Chair; Rife and Vande Hoef

JANICE M. JOHNSON: Boswell, Chair; Rife and Vande Hoef

RICHARD S. BURCHETT: Rife, Chair; Boswell and Vande Hoef

MARY E. SUKUP: Rife, Chair; Boswell and Vande Hoef

DORIS A. HANSEN: Boswell, Chair; Rife and Vande Hoef

STATE GOVERNMENT

As members of the Board of Corrections:

MILDRED E. ELLIOTT: Carr, Chair; Gentleman and C. Miller

BILLIE D. LLOYD: Carr, Chair; Gentleman and C. Miller

As members of the Iowa Housing Finance Authority:

MAX MC CORD: Dieleman, Chair; Mann and C. Miller

BETTY J. DAVIS: Dieleman, Chair; Mann and C. Miller

ELIZABETH ANN COLBY: Dieleman, Chair; Mann and C. Miller

As members of the Campaign Finance Disclosure Commission:

ELWIN D. FARWELL: Bruner, Chair; Drake and Mann

JEAN ROBB: Bruner, Chair; Drake and Mann

As members of the State Historical Board:

JAMES A. NEPPLE: Schwengels, Chair; Rife and Welsh

JOSEPH W. WALT: Schwengels, Chair; Rife and Welsh

MARGARET N. KEYES: Schwengels, Chair; Rife and Welsh

As a member of the Iowa Beer and Liquor Control Council:

ANN JORGENSEN: Horn, Chair; Rife and Coleman

As a member of the Commission for the Blind:

RUSSELL H. WATT: Nystrom, Chair; Bruner and Corning

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 19, 1985, 9:30 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak (arrived 9:42 a.m.), Palmer, Vande Hoef and Waldstein.

Members Absent: Hutchins.

Committee Business: SSB 267 approved as a committee bill; approved concurrent resolution relating to interstate compact, noxious weeds and sale of agricultural land; discussed SSB 265 and ordered redrafted for final approval as a committee resolution.

Adjourned: 10:30 a.m.

COMMERCE

Convened: March 19, 1985, 8:10 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Nystrom, Palmer, Priebe and Tieden.

Members Absent: Hutchins.

Committee Business: Assigned bills and Governor's appointees to subcommittees; reported Senate File 348 to the Senate Calendar without recommendation; approved SSB 258 as amended and ordered redrafted as a committee bill; approved SSBs 256 and 257 as a committee bill; reported House File 452 to the Senate calendar.

Adjourned: 8:30 a.m.

EDUCATION

Convened: March 19, 1985, 1:40 p.m.

Members Present: Brown, Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy and Taylor.

Members Absent: Horn, Vice Chair and Wells.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:51 p.m.

HUMAN RESOURCES

Convened: March 19, 1985, 8:11 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, C. Miller, Readinger, Vande Hoef and Taylor.

Members Absent: Gratias.

Committee Business: Assigned bills and Governor's appointees to subcommittees; reported House File 308 to the Senate calendar; approved SSB 329 as a committee bill.

Adjourned: 8:52 a.m.

JUDICIARY

Convened: March 19, 1985, 10:30 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported Senate Files 334 and 452 to the Senate calendar; approved SSBs 292, 283, 331 and 25 as committee bills.

Adjourned: 11:30 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 19, 1985, 9:35 a.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife and Wells.

Members Absent: Welsh (excused).

Committee Business: Reported House File 338 to the Senate calendar; recommended Allen J. Meier for reappointment as labor commissioner; assigned bills to subcommittees.

Adjourned: 9:43 a.m.

LOCAL GOVERNMENT

Convened: March 19, 1985, 10:38 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member (arrived 10:50 a.m.); Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: Lind (excused).

Committee Business: Assigned bill to a subcommittee; reported Senate File 84 to the Senate calendar; approved SSBs 334 and 344 as committee bills.

Adjourned: 11:10 a.m.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Convened: March 19, 1985, 2:30 p.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Doyle, Hutchins, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein.

Members Absent: Boswell and Brown.

Committee Business: Assigned bills and Governor's appointees to subcommittees.

Adjourned: 2:40 p.m.

TRANSPORTATION

Convened: March 19, 1985, 1:30 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: none.

Committee Business: Assigned bills and Governor's appointees to subcommittees; approved SSBs 250 and 247, and LSB 2791 and ordered redrafted as committee bills; approved SSB 245 as a committee bill; approved LSB 2740 without recommendation and ordered redrafted as a committee bill; reported Senate File 397 to the Senate calendar; reported House File 378 as amended to the Senate calendar; Senate File 412 failed recommendation for passage.

Adjourned: 2:20 p.m.

PROOFS OF PUBLICATION

Published copies of Senate File 490 and verified proofs of publication of said bill in The Forest City Summit, a newspaper published in Forest City, Iowa; the Mitchell County Press and Osage News, a newspaper published at Osage, Iowa; and the Lake Mills Graphic, a newspaper published in Lake Mills, Iowa, were filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CERTIFICATES OF RECOGNITION

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

Jami Dueland, Wade Lenz, Eric Carlyle, Mike Drennen, Dwight Reichter and Jeff Sharp — Iowa Delegation to the National Academic Decathlon. Senator Hutchins (March 20, 1985).

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 500 (SSB 331), a bill for an act relating to the sale and delivery of preneed funeral services and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 497, a bill for an act prohibiting political subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums.

Recommendation: APPROVED COMMITTEE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 8: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, 1: Drake. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 498 (SSB 250), a bill for an act allowing the state department of transportation to issue a certificate of exemption from child restraint requirements when the department finds the nature of particular nonfamily uses makes compliance impracticable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 499 (SSB 247), a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hall, Drake, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, 3: Coleman, Doyle and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 378, a bill for an act exempting road workers from the forty miles per hour minimum speed limit.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3413.

Final Vote: Ayes, 9: Coleman, Hall, Doyle, Drake, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 2:03 p.m., President Anderson presiding.

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.

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.

BUSINESS PENDING

House File 225

The Senate resumed consideration of House File 225 and amendment S—3348 as amended, pending on recess.

With the adoption of amendments S—3384 and S—3358 to S—3348, the Chair ruled amendment S—3416 filed by Senator Taylor from the floor to pages 8, 10, 12, 16 through 20 and 24 of amendment S—3348, out of order.

Senator Gettings offered amendment S—3417 filed by him from the floor to pages 1, 3, 10 and 11 of amendment S—3348 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3417 to amendment S—3348 be adopted?" (H.F. 225) the vote was:

Ayes, 18:

Colton	Dieleman	Doyle	Drake
Gettings	Gratias	Hall	Holden
Horn	Jensen	Lind	Mann

Neighbour Waldstein	Rife Wells	Rodgers	Taylor
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Nays, 27:

Brown	Bruner	Carr	Corning
Deluhery	Gentleman	Goodwin	Gronstal
Hannon	Hester	Holt	Hultman
Husak	Hutchins	Junkins	Miller, A.V.
Murphy	Nystrom	Palmer	Readinger
Ritsema	Schwengels	Small	Soorholtz
Tieden	Vande Hoef	Welsh	

Absent or not voting, 5:

Boswell	Coleman	Kinley	Miller, C.P.
Priebe			

Amendment S—3417 lost.

Senator Mann offered amendment S—3419 filed by him from the floor to pages 1, 9, 10 and 12 of amendment S—3348 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3419 to amendment S—3348 be adopted?" (H.F. 225) the vote was:

Ayes, 16:

Bruner	Coleman	Colton	Doyle
Drake	Gentleman	Gettings	Gratias
Hannon	Holden	Horn	Kinley
Mann	Palmer	Rife	Soorholtz

Nays, 28:

Brown	Carr	Deluhery	Dieleman
Goodwin	Gronstal	Hall	Hester
Holt	Husak	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Murphy
Neighbour	Priebe	Readinger	Ritsema
Rodgers	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Absent or not voting, 6:

Boswell	Corning	Hultman	Miller, C.P.
Nystrom	Wells		

Amendment S—3419 lost.

Senator Horn offered amendment S—3420 filed by Senators Horn, Colton and Tieden from the floor to pages 8 and 12 of amendment S—3348 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3420 to amendment S—3348 be adopted?” (H.F. 225) the vote was:

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

Ayes, 21:

Bruner	Carr	Colton	Corning
Dieleman	Doyle	Gettings	Gratias
Hall	Hannon	Holden	Horn
Miller, C.P.	Neighbour	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, 29:

Boswell	Brown	Coleman	Deluhery
Drake	Gentleman	Goodwin	Gronstal
Hester	Holt	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Small	Soorholtz
Waldstein			

Amendment S—3420 lost.

Senator Taylor offered amendment S—3424 filed by him from the floor to pages 8, 10, 12, 16 through 20 and 24 of amendment S—3348 and moved its adoption.

Amendment S—3424 lost by a voice vote.

Senator Horn offered amendment S—3421 filed by him from the floor to pages 1 and 10 of amendment S—3348 and moved its adoption.

Amendment S—3421 lost by a voice vote.

Senator Small moved the adoption of amendment S—3348 as amended, which motion prevailed 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—3349 to House File 225 was adopted by the Senate on March 19, 1985.

The motion prevailed by a voice vote and amendment S—3349 by the committee on Appropriations to pages 2, 4, 9 and 13 of the bill, was taken up for reconsideration.

The Chair ruled amendment S—3399 to amendment S—3349, ruled out of order on March 19, 1985, eligible for consideration.

Senator Welsh offered amendment S—3399 filed by him on March 19, 1985 to amendment S—3349 and moved its adoption.

Amendment S—3399 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—3349, as amended, which motion prevailed by a voice vote.

Senator Dieleman offered amendment S—3347 filed by him on March 18, 1985, to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3347 be adopted?" (H.F. 225) the vote was:

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

Ayes, 23:

Bruner	Coleman	Corning	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Hannon	Hester	Holden
Holt	Jensen	Neighbour	Rife
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 27:

Boswell	Brown	Carr	Colton
Deluhery	Doyle	Gronstal	Hall
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rodgers
Soorholtz	Wells	Welsh	

Amendment S—3347 lost.

Senator Kinley took the chair at 4:17 p.m.

Senator Rodgers offered amendment S—3408 filed by Senators Rodgers, et al., from the floor to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 43, nays 6.

Amendment S—3408 was adopted.

Senator Waldstein offered amendment S—3355 filed by him on March 19, 1985, to page 8 of the bill.

Senator Waldstein asked and received unanimous consent that action on amendment S—3355 be deferred.

Senator Waldstein offered amendment S—3390 filed by him on March 19, 1985, to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 32.

Amendment S—3390 lost.

Senator Waldstein withdrew amendment S—3355 to page 8 of the bill, previously deferred.

Senator Gentleman offered amendment S—3368 filed by her on March 19, 1985 to pages 8 and 19 of the bill and moved its adoption.

Amendment S—3368 was adopted by a voice vote.

With the adoption of amendment S—3368, the Chair ruled amendment S—3381 filed by Senator Horn on March 19, 1985, to page 19 of the bill, out of order.

Senator Welsh offered amendment S—3361 filed by him on March 19, 1985, to pages 8 and 11 of the bill.

Senator Ritsema called for a division of amendment S—3361: lines 2 through 6 as division S—3361A and lines 7 through 13 as division S—3361B.

Senator Welsh moved the adoption of division S—3361A, which motion lost by a voice vote.

Senator Welsh moved the adoption of division S—3361B, which motion prevailed by a voice vote.

Senator Vande Hoef offered amendment S—3373 filed by Senator Waldstein on March 19, 1985, to page 19 and to the title page of the bill.

Senator Welsh raised the point of order that amendment S—3373 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3373 out of order.

Senator Mann offered amendment S—3422 filed by him from the floor to page 20 and to the title page of the bill.

Senator Hultman raised the point of order that amendment S—3422 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3422 in order.

Senator Mann moved the adoption of amendment S—3422.

A record roll call was requested.

On the question “Shall amendment S—3422 be adopted?” (H.F. 225) the vote was:

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

Ayes, 25:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall
Hannon	Hester	Holt	Horn
Junkins	Kinley	Mann	Murphy
Neighbour	Priebe	Waldstein	Wells
Welsh			

Nays, 24:

Corning	Drake	Gentleman	Goodwin
Gratias	Holden	Hultman	Husak
Hutchins	Jensen	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef

Absent or not voting, 1:

Rodgers

Amendment S—3422 was adopted.

With the adoption of amendment S—3422, the Chair ruled amendment S—3418 filed by Senator Mann from the floor to page 51 and to the title page of the bill, out of order.

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. 225) the vote was:

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

Ayes, 27:

Boswell	Brown	Carr	Coleman
Corning	Deluhery	Gettings	Gronstal
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Small	Soorholtz	Welsh	

Nays, 23:

Bruner	Colton	Dieleman	Doyle
Drake	Gentleman	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Jensen	Neighbour
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

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 File 225** 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 19, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 319, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind.

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

House File 418, a bill for an act requiring the state department of transportation to accept payment by check of proportional registration fees.

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

House File 531, a bill for an act prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures, and making penalties applicable.

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

House File 572, a bill for an act regulating the gross weights of rubbish vehicles and making penalties applicable.

This bill was read first time and passed on file.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 28, by Committee on Agriculture, a resolution to request an interstate compact for controlling bovine brucellosis.

Read first time and placed on calendar.

Senate Concurrent Resolution 29, by Committee on Agriculture, a resolution requesting an interim study of Iowa's noxious weed control law.

Read first time and placed on calendar.

Senate Concurrent Resolution 30, by Committee on Agriculture, a resolution requesting Congress to change federal legislation affecting the sale of agricultural land.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 506, by Committee on Agriculture, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty.

Read first time and placed on calendar.

Senate File 507, by Hannon, a bill for an act to legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city.

Read first time and passed on file.

Senate File 508, by Committee on Judiciary, a bill for an act relating to the forcible entry or detention of real property.

Read first time and placed on calendar.

Senate File 509, by Committee on Natural Resources, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Read first time and placed on calendar.

Senate File 510, by Committee on Natural Resources, a bill for an act relating to the officers of the state conservation commission.

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

Senate File 511, by Committee on Natural Resources, a bill for an act to extend the time for the completion of the flood plain mapping plan.

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

APPENDIX

REQUEST FOR INTRODUCTION

TO THE SECRETARY OF THE SENATE:

Pursuant to Senate Rule 60, I hereby request that Kenneth L. Mueller, appointee to the State Board of Chiropractic Examiners, appear before the Senate for introduction.

CHARLES P. MILLER

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 20, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 117 — Relating to the Iowa Family Farm Development Authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

SENATE STUDY BILLS

SSB 355 State Government

Creating a state health insurance pool

SSB 356 Commerce

Relating to insurance guaranty associations by creating an Iowa life and health insurance guaranty association and providing for credits against premium taxes for certain assessments by the Iowa insurance guaranty association.

SSB 357 Commerce

Relating to the notice requirements pertaining to the cancellation and nonrenewal of insurance other than life insurance.

SSB 358 Education

Relating to the use of vehicles used as school buses for fifteen or fewer pupils.

SSB 359 Judiciary

Relating to the election to become a senior judge.

SSB 339A State Government

Creating a residential care licensing classification for the mentally ill.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Marlys Nielsen be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JOHN A. NEIGHBOUR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Donald J. Meylor be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

CHARLES P. MILLER

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Kenneth L. Mueller be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

CHARLES P. MILLER

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Gary L. Huff be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

BILL PALMER

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE CONCURRENT RESOLUTION 28, a concurrent resolution to request an interstate compact for controlling bovine brucellosis.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Priebe, A. Miller, Soorholtz, Boswell, Hester, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Husak and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 29, a concurrent resolution requesting an interim study of Iowa's noxious weed control law.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Priebe, A. Miller, Soorholtz, Boswell, Hester, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Husak and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 502 (SSB 258), a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 501 (SSB 25), a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 508 (SSB 283), a bill for an act relating to the forcible entry or detention of real property.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 503 (SSB 334), a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' self-insured workers' compensation plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 504 (SSB 344), a bill for an act relating to the control of animals, the protection of animals by antirabies vaccination, providing a penalty for violations, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: A. Miller, C. Miller, Goodwin, Neighbour, Vande Hoef and Wells. Nays, 2: Waldstein and Priebe. Voting present, 1: Hall. Absent, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 509 (SSB 47), a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Neighbour and Tieden. Nays, none. Absent or not voting, 3: Husak, Rodgers and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 510 (SSB 288), a bill for an act relating to the officers of the state conservation commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Neighbour and Tieden. Nays, none. Absent or not voting, 3: Husak, Rodgers and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 511 (SSB 326), a bill for an act to extend the time for the completion of the flood mapping plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Neighbour and Tieden. Nays, none. Absent or not voting, 3: Husak, Rodgers and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 505, a bill for an act relating to the regulation of motor carriers and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO A COMMISSION

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

TRANSPORTATION

As members of the State Transportation Commission:

DAVID L. CLEMENS: Coleman, Chair; A. Miller and Goodwin.

DOUGLAS K. SHULL: Kinley, Chair; Nystrom and Hall

PRESENTATION OF VISITORS

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

The Murray High School senior class, Murray, Iowa, accompanied by Mr. Paul Skinner. Senator Boswell.

Members of the Wayne County High School Boys' State tournament basketball team, Corydon, Iowa, accompanied by their coaches and wives, Paul and Cathy McFarland, Jim and Jan Douglas and Paul Epperly. Senator Neighbour.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	379	Human Resources
H.F.	428	Natural Resources
H.F.	454	Local Government
H.F.	471	Commerce
H.F.	494	Local Government
H.F.	495	Judiciary
H.F.	550	Judiciary
H.F.	558	Judiciary
H.F.	584	Judiciary
H.F.	588	Judiciary
S. F.	481	Commerce
S. F.	482	Human Resources
S. F.	483	State Government
S. F.	484	Judiciary
S. F.	486	Local Government
S. F.	487	Commerce
S. F.	488	State Government
S. F.	489	Transportation

AMENDMENTS FILED

S—3405	H.F.	225	Wally Horn
S—3406	H.F.	225	Wally Horn

S-3407	H.F.	225	Joe Brown
S-3408	H.F.	225	Norman Rodgers
			Richard Drake
			Leonard Boswell
			Norman Goodwin
			Joe Brown
			Jack Hester
			Milo Colton
			Edgar Holden
			William W. Dieleman
			Lee Holt
			Donald Doyle
			John Jensen
			Donald Gettings
			Thomas Lind
			Michael Gronstal
			Jack Nystrom
			Jack Rife
			Beverly Hannon
			John Soorholtz
			Wally Horn
			Ray Taylor
			Larry Murphy
			Berl E. Priebe
			James D. Wells
			Alvin V. Miller
			Emil J. Husak
S-3409	S. F.	268	Patrick J. Deluhery
S-3410	H.F.	225	Wally Horn
S-3411	H.F.	225	Wally Horn
S-3412	H.F.	225	Tom Mann, Jr.
S-3413	H.F.	378	Transportation
S-3414	H.F.	225	Charles Bruner
S-3415	S. F.	456	Tom Mann, Jr.
S-3416	H.F.	225	Ray Taylor
S-3417	H.F.	225	Don E. Gettings
S-3418	H.F.	225	Tom Mann, Jr.
S-3419	H.F.	225	Tom Mann, Jr.
S-3420	H.F.	225	Wally Horn
			Milo Colton
			Dale L. Tieden

S-3421	H.F.	225	Wally E. Horn
S-3422	H.F.	225	Tom Mann, Jr.
S-3423	S.F.	455	Tom Mann, Jr.
S-3424	H.F.	225	Ray Taylor
S-3425	S.F.	278	Jack Rife
S-3426	H.F.	555	Jack Rife
S-3427	S.F.	14	William W. Dieleman
S-3428	S.F.	447	Edgar H. Holden Hurley W. Hall Dale Tieden
S-3429	S.F.	455	Tom Mann, Jr.
S-3430	S.F.	394	Berl E. Priebe Charles Bruner Edgar H. Holden
S-3431	S.F.	447	Edgar H. Holden
S-3432	S.F.	104	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Deluhery, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Thursday, March 21, 1985.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 21, 1985

The Senate met in regular session at 9:14 a.m., President Anderson presiding.

Prayer was offered by the Reverend Waunita McConnell, retired United Methodist Church minister from Indianola, Iowa.

The Journal of Wednesday, March 20, 1985, was approved.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:35 a.m., until 4:30 p.m.

APPENDIX

PROOF OF PUBLICATION

Published copy of Senate File 507 and verified proof of publication of said bill in The Pioneer Herald, a newspaper published in Stanwood, Iowa, on February 13, 1985, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

COMMUNICATION

March 14, 1985

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 six claims of a general nature. This supplements our filing of January 2, 1985.

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

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims Subcommittee of the Senate Appropriations Committee.

REPORTS OF COMMITTEE MEETINGS

ENERGY AND ENVIRONMENT

Convened: March 20, 1985, 8:45 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Hultman, Rife, A. Miller, Soorholtz, Carr (excused), Brown (excused) and Gronstal (excused).

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:55 a.m.

NATURAL RESOURCES

Convened: March 20, 1985, 8:02 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Goodwin, Gratias, Hannon, Hester, Neighbour, Rodgers and Tieden.

Members Absent: Schwengels, Ranking Member and Husak.

Committee Business: Approved SSBs 47, 288, 323 and 326 as committee bills; tabled SSB 238.

Adjourned: 8:15 a.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House File 225 the following technical corrections were made to Senate amendment S—3348:

1. Page 1, line 13, "a." was changed to "a."
2. Page 1, line 23, "community, economic" was changed to "community economic".
3. Page 2, line 9, "two thirds" was changed to "two-thirds".
4. Page 4, line 20, "V" was changed to "VI".
5. Page 4, line 35, "VII" was changed to "VIII".
6. Page 8, line 41, "IV" was changed to "V".
7. Page 8, line 45, "IV" was changed to "V".
8. Page 11, line 6, "203" was changed to "303".
9. Page 11, line 18, "201" was changed to "301".
10. Page 11, line 25, "203" was changed to "303".
11. Page 11, line 28, "201" was changed to "301".
12. Page 11, line 33, "201" was changed to "301".
13. Page 11, line 36, "201" was changed to "301".
14. Page 11, line 44, "203" was changed to "303".
15. Page 11, line 47, "VII" was changed to "VIII".
16. Page 12, line 1, "201" was changed to "301".
17. Page 12, line 3, "201" was changed to "301".
18. Page 12, line 7, "201" was changed to "301".
19. Page 12, line 14, "IV" was changed to "V".
20. Page 12, line 21, "IV" was changed to "V".
21. Page 13, line 9, "III" was changed to "IV".
22. Page 13, line 18, "202" was changed to "302".
23. Page 13, line 25, "202" was changed to "302".
24. Page 13, line 46, "305" was changed to "405".
25. Page 13, line 49, "303" was changed to "403".
26. Page 15, line 40, "II" was changed to "III".
27. Page 16, line 25, "306" was changed to "406".
28. Page 20, line 3, "IV" was changed to "V".
29. Page 21, line 40, "III" was changed to "IV".
30. Page 22, line 41, "II" was changed to "III".

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 standing committees:

COMMERCE

As Superintendent of Banking:

THOMAS H. HUSTON: Holden, Chair; Kinley and Palmer.

As a member of the Iowa State Commerce Commission:

PAUL FRANZENBURG: Deluhery, Chair; Tieden and Hutchins.

HUMAN RESOURCES

As Commissioner of Public Health:

NORMAN L. PAWLEWSKI: Carr, Chair; Gentleman and Hannon.

As Director of the Iowa Department of Substance Abuse:

MARY HELGESON ELLIS: Taylor, Chair; C. Miller and Carr.

As a member of the State Board of Social Work Examiners:

VIRGINIA J. POFFENBERGER: Bruner, Chair; Vande Hoef and Murphy.

As a member of the State Health Facilities Council:

NANCY M. JONES: Coleman, Chair; Hannon and Readinger.

As members of the State Foster Care Review Board:

JACQUELINE MAYFIELD: Gratias, Chair; Bruner and Murphy.

MARK WOLRAICH: Hannon, Chair; C. Miller and Vande Hoef.

NATURAL RESOURCES

As members of the Water, Air and Waste Management Commission:

DONNA M. HAMMITT: Hester, Chair; Tieden and Neighbour.

ROBERT W. SCHULTZ: Goodwin, Chair; Schwengels and Rodgers.

ALLAN T. THOMS: Hannon, Chair; Rodgers, and Hester

RICHARD L. TIMMERMAN: Tieden, Chair; Goodwin and Hannon.

KEITH E. UHL: Schwengels, Chair; Goodwin and Priebe.

As Members of the State Conservation Commission:

JOHN D. FIELD: Hester, Chair; Gratias and Doyle.

SAM KENNEDY, III: Gratias, Chair; Hester and Husak.

PRESENTATION OF VISITOR

Senator Wells presented Andre Ribeiro from Assis, Brazil, exchange student attending Mount Vernon High School.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 513 (SSB 358), a bill for an act relating to the use of vehicles used as school buses for fifteen or fewer pupils.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 512 (SSB 323), a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Neighbour and Tieden. Nays, none. Absent or not voting, 3: Husak, Rodgers and Schwengels.

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.	319	State Government
H.F.	418	Transportation
H.F.	531	Commerce
H.F.	572	Transportation
S. F.	494	State Government
S. F.	495	Commerce
S. F.	496	Transportation
S. F.	507	State Government

AMENDMENTS FILED

S—3433	S. F.	447	Jack Hester
S—3434	S. F.	447	Jack Hester
S—3435	H.F.	315	Thomas A. Lind
S—3436	H.F.	315	Thomas A. Lind
S—3437	H.F.	315	Thomas A. Lind
S—3438	H.F.	315	Thomas A. Lind
S—3439	H.F.	315	Thomas A. Lind
S—3440	H.F.	315	Thomas A. Lind

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 512, by Committee on Natural Resources, a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

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

Senate File 513, by Committee on Education, a bill for an act relating to the use of vehicles used as school buses for fifteen or fewer pupils.

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

Senate File 514, by Committee on Judiciary, a bill for an act relating to garnished accounts of supervised financial organizations.

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

Senate File 515, by Committee on Judiciary, a bill for an act relating to the election to become a senior judge.

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

Senate File 516, by Committee on Judiciary, a bill for an act relating to chemical tests for blood alcohol concentration.

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

Senate File 517, by Committee on Judiciary, a bill for an act requiring life insurance companies or associations and fraternal beneficiary associations to include provisions in certain policies of life insurance providing for the payment of interest on the death benefits and reasonable attorney's fees.

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

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 506** was referred from the Regular Calendar to the committee on **State Government**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the remainder of the day on request of Senator Hultman.

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

The Senate resumed session, Senator Doyle presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 31, by Committee on Agriculture, a resolution requesting an interim study of the cattle industry.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 518, by Committee on Appropriations, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Read first time and placed on Appropriations calendar.

Senate File 519, by Committee on Judiciary, a bill for an act relating to the admissibility of evidence obtained as a result of an unlawful search or seizure.

Read first time and placed on calendar.

APPENDIX

SENATE STUDY BILLS

SSB 300A **Small Business & Economic Development**

Providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in the Iowa venture capital fund and the earning on the proceeds prior to investment to be used as prizes.

SSB 360 **Judiciary**

Relating to chemical tests for blood alcohol concentration.

SSB 361 **Judiciary**

Relating to the Iowa uniform securities Act.

SSB 362 **State Government**

Relating to withdrawal from and dissolution of county library districts.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 31, a concurrent resolution requesting an interim study of the cattle industry.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3444.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 518, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Horn, C. Miller, Dieleman, Gettings, Colton, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind. Nays, none. Absent or not voting, 3: Deluhery, Gronstal and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 172, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of debtor.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Deluhery, Gronstal, Holden, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, 2: Jensen and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 203, a bill for an act relating to civil actions for punitive damages by restricting the discovery and disclosure of financial documents.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3442.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Drake, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 224, a bill for an act relating to discrimination on the basis of gender and marital status.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 514 (SSB 289), a bill for an act relating to garnished accounts of supervised financial organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 515 (SSB 359), a bill for an act relating to the election to become a senior judge.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 516 (SSB 360), a bill for an act relating to chemical tests for blood alcohol concentration.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Gentleman, Small and Taylor. Nays, 1: Coleman. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 517 (SSB 314), a bill for an act requiring life insurance companies or associations and fraternal beneficiary associations to include provisions in certain policies of life insurance providing for the payment of interest on the death benefits and reasonable attorney's fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Coleman, Ritsema, Drake, Hester, Holt, Horn, Taylor, Gentleman and Carr. Nays, 3: Deluhery, Dieleman and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 519, a bill for an act relating to the admissibility of evidence obtained as a result of an unlawful search or seizure.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 17, a concurrent resolution relating to a biennial memorial session.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 18, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 308, a bill for an act relating to the appointment of assessors.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Horn, Mann, C. Miller, Rife and Welsh. Nays, 1: Gentleman. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)**

Pursuant to Senate Rule 60, the Committee on Commerce assigned to investigate the appointment of Thomas H. Huston as Superintendent of Banking and Paul Franzenburg as a member of the Iowa State Commerce Commission, completed its investigation on March 21, 1985, and recommended the appointments be confirmed.

AMENDMENTS FILED

S-3441	S. F.	459	Leonard L. Boswell
S-3442	S. F.	203	Judiciary
S-3443	S. F.	461	Edgar H. Holden
S-3444	S. F.	406	Agriculture

ADJOURNMENT

On motion of Senator Deluhery, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Friday, March 22, 1985.

JOURNAL OF THE SENATE

SIXTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 22, 1985

The Senate met in regular session at 9:20 a.m., President Anderson presiding.

Prayer was offered by Reverend Roger Miller, pastor of the Central Christian Church, Jefferson, Iowa.

The Journal of Thursday, March 21, 1985, was approved.

INTRODUCTION OF BILL

Senate File 520, by Hutchins, a bill for an act providing an individual and corporate income tax credit for market cattle raised and sold for slaughter in this state.

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

BILLS REFERRED TO COMMITTEE

President Anderson announced that **Senate File 517** was referred from the Regular Calendar to the committee on **Commerce**.

Senator Brown asked and received unanimous consent that **Senate File 408** be referred from the Regular Calendar to the committee on **Education**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 421.

Senate File 421

On motion of Senator Horn, Senate File 421, a bill for an act to require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are

convicted of selling alcohol to minors, was taken up for consideration.

Senator Taylor asked and received unanimous consent that further action on **Senate File 421** be deferred.

The Senate recessed for the purpose of committee meetings.

The Senate resumed session at 10:40 a.m., President Anderson presiding.

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.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 423**

Senate File 423

On motion of Senator Ritsema, **Senate File 423**, a bill for an act relating to claims in estates for which there is insurance coverage, 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. 423) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy

Neighbour
Readinger
Schwengels
Waldstein

Nystrom
Rife
Small
Wells

Palmer
Ritsema
Soorholtz
Welsh

Priebe
Rodgers
Taylor

Nays, none.

Absent or not voting, 3:

Holden

Tieden

Vande Hoef

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 Hutchins asked and received unanimous consent that **Senate File 518** be referred from the Appropriations Calendar to the committee on Appropriations and that **Senate File 504** be referred from the Regular Calendar to the committee on Appropriations.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 424.

Senate File 424

On motion of Senator Bruner, Senate File 424, a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty, was taken up for consideration.

Senator Coleman took the chair at 10:55 a.m.

Senator Ritsema offered amendment S—3287 filed by him on March 13, 1985, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 16.

Amendment S—3287 was adopted.

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. 424) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 2:

Lind Miller, C.P.

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

Senate File 432

On motion of Senator Carr, Senate File 432, a bill for an act relating to the makeup of the board of nursing 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. 432) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen

Junkins	Kinley	Lind	Mann
Miller, A. V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Gratias	Miller, C.P.	Tieden
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Absent or not voting, 1:

Drake

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

Senator Hester took the chair at 11:25 a.m.

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, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 49, a bill for an act relating to the issuance of prisoner of war plates.

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

House File 244, a bill for an act relating to programs relating to substance abuse.

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

House File 255, a bill for an act relating to the election of hospital trustees.

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

House File 274, a bill for an act relating to the modification of boundary lines of a proposed school corporation and to the hearing schedule, the notice of an election and the election ballot

for reorganization of school corporations and the division of assets and liabilities after reorganization.

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

House File 540, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty.

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

House File 553, a bill for an act relating to federal disaster assistance to state and local governments and providing an effective date.

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

ALSO: That the House has on March 22, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 642, a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 521, by Committee on Judiciary, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

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

Senate File 522, by Committee on Local Government, a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

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

Senate File 523, by Committee on Judiciary, a bill for an act to provide specific restrictions upon a restitution order for damages resulting directly from a violation of section 321.281.

Read first time and placed on calendar.

The Senate recessed for the purpose of committee meetings.

The Senate resumed session, Senator Husak presiding.

INTRODUCTION OF BILLS

Senate File 524, by Committee on State Government, a bill for an act creating a residential care licensing classification for the mentally ill.

Read first time and placed on calendar.

Senate File 525, by Committee on State Government, a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice.

Read first time and placed on calendar.

Senate File 526, by Committee on Education, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction.

Read first time and placed on calendar.

Senate File 527, by Tieden and Carr, a bill for an act relating to the exemption of beer and alcoholic beverage sales from the computations of license fees under chapter 170A.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:59 a.m., until 1:00 p.m.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate Joint Resolution 8**

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

Senate File 417

TRANSPORTATION: Drake, Chair; Kinley and Gettings

Senate File 425

STATE GOVERNMENT: Mann, Chair; Bruner and Drake

Senate File 426

TRANSPORTATION: Coleman, Chair; Doyle and Nystrom

Senate File 427

EDUCATION: Corning, Chair; Hannon and Wells

Senate File 428

STATE GOVERNMENT: Mann, Chair; Gentleman and Welsh

Senate File 431

HUMAN RESOURCES: Carr, Chair; Murphy and Gratiias

Senate File 436

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

Senate File 437

STATE GOVERNMENT: Coleman, Chair; Horn and Rife

Senate File 438

STATE GOVERNMENT: Coleman, Chair; Welsh and Schwengels

Senate File 442

TRANSPORTATION: Hall, Chair; A. Miller and Goodwin

Senate File 448

ENERGY & ENVIRONMENT: Gronstal, Chair; Carr and Soorholtz

Senate File 450

COMMERCE: Gronstal, Chair; Deluhery and Tieden

Senate File 461

COMMERCE: Palmer, Chair; Hutchins and Holden

Senate File 462

COMMERCE: Holden, Chair; Deluhery and Jensen

Senate File 470

EDUCATION: Hannon, Chair; Taylor and Wells

Senate File 475

JUDICIARY: Mann, Chair; Horn and Ritsema

Senate File 476

LABOR & INDUSTRIAL RELATIONS: Mann, Chair; Colton and Rife

Senate File 477

JUDICIARY: Mann, Chair; Horn and Ritsema

Senate File 479**ENERGY & ENVIRONMENT: Bruner, Chair; Colton and Hultman****Senate File 484****JUDICIARY: Mann, Chair; Carr and Gentleman****Senate File 486****LOCAL GOVERNMENT: Wells, Chair, Hall and Goodwin****Senate Concurrent Resolution 22****HUMAN RESOURCES: Readinger, Chair; Carr and Taylor****Senate Concurrent Resolution 23****HUMAN RESOURCES: Carr, Chair; Gratias and Wells****House File 35****HUMAN RESOURCES: Hannon, Chair; Murphy and Gratias****House File 123****TRANSPORTATION: Nystrom, Chair; Drake and Gettings****House File 198****COMMERCE: Tieden, Chair; Priebe and Jensen****House File 225****APPROPRIATIONS: Welsh, Chair; Small, Tieden, Gronstal and Readinger****House File 338****LABOR & INDUSTRIAL RELATIONS: Wells, Chair; Welsh and Holden**

House File 341

ENERGY & ENVIRONMENT: Colton, Chair; Gronstal and Soorholtz

House File 450

EDUCATION: Colton, Chair; Hannon and Gratias

House File 452

COMMERCE: Jensen, Chair; Priebe and Holden

House File 453

NATURAL RESOURCES: Tieden, Chair; Gratias and Rodgers

House File 456

COMMERCE: Hutchins, Chair; Holden and Tieden

House File 466

STATE GOVERNMENT: Coleman, Chair; Dieleman and Drake

House File 484

COMMERCE: Hutchins, Chair; Gronstal and Nystrom

House File 505

LOCAL GOVERNMENT: C. Miller, Chair; Priebe and Lind

House Concurrent Resolution 17

RULES & ADMINISTRATION: Hultman, Chair; Jensen and Junkins

House Concurrent Resolution 18

RULES & ADMINISTRATION: Hultman, Chair; Jensen and Junkins

House Concurrent Resolution 19**RULES & ADMINISTRATION: Gettings, Chair; Hultman and Hutchins****SSB 321****EDUCATION: Brown, Chair; Wells, Colton, Gratias and Corning****SSB 322****EDUCATION: Brown, Chair; Gratias and Hannon****SSB 330****EDUCATION: Gratias, Chair; Wells and Hannon****SSB 332****TRANSPORTATION: A. Miller, Chair; Nystrom and Doyle****SSB 333****EDUCATION: Brown, Chair; Murphy and Gratias****SSB 334****LOCAL GOVERNMENT: A. Miller, Chair; Goodwin and Priebe****SSB 336****LABOR & INDUSTRIAL RELATIONS: Gettings, Chair; Mann and Hultman****SSB 337****LABOR & INDUSTRIAL RELATIONS: Colton, Chair; Mann and Holden****SSB 338****LABOR & INDUSTRIAL RELATIONS: Gettings, Chair; Wells and Hultman**

SSB 339

STATE GOVERNMENT: Bruner, Chair; Carr and Drake

SSB 340

COMMERCE: Palmer, Chair; Kinley and Tieden

SSB 341

EDUCATION: Brown, Chair; Horn and Gratias

SSB 342

HUMAN RESOURCES: Bruner, Chair; Gentleman and C. Miller

SSB 343

HUMAN RESOURCES: Taylor, Chair; Murphy and Gentleman

SSB 344

LOCAL GOVERNMENT: Goodwin, Chair; Wells and Neighbour

SSB 345

COMMERCE: Palmer, Chair; Kinley and Holden

SSB 346

LABOR & INDUSTRIAL RELATIONS: Mann, Chair; Wells and Hultman

SSB 347

LABOR & INDUSTRIAL RELATIONS: Colton, Chair; Gettings and Jensen

SSB 351**EDUCATION: Brown, Chair; Murphy and Grattias****SSB 354****JUDICIARY: Mann, Chair; Doyle and Holt****SSB 357****COMMERCE: Palmer, Chair; Holden and Tieden****SSB 358****EDUCATION: Taylor, Chair; Hannon and Wells****SSB 359****JUDICIARY: Mann, Chair; Doyle and Ritsema****SSB 360****JUDICIARY: Doyle, Chair; Mann and Hester****SSB 361****JUDICIARY: Mann, Chair; Horn and Ritsema****LSB 1671S****TRANSPORTATION: Drake, Chair; Coleman and Hall****LSB 2740S****TRANSPORTATION: Coleman, Chair; Drake and Kinley****LSB 2791S****TRANSPORTATION: Drake, Chair; Coleman and Hall**

BILL RETURNED TO CALENDAR FROM COMMITTEE

Pursuant to Senate Rule 38, **Senate File 281**, referred to the committee on State Government on March 8, 1985, was returned to the Regular Calendar.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 21, 1985, 9:37 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Reported Senate File 406 as amended to the Senate calendar; approved SSB 265, LSBs 2668S and 2826S and SSB 264, as amended, as committee bills.

Adjourned: 10:22 a.m.

COMMERCE

Convened: March 21, 1985, 2:35 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported Senate Files 208 and 462 as amended to the Senate calendar; reported Senate Files 172 and 450 to the Senate calendar; approved SSBs 14 and 242, as amended, as committee bills; approved SSB 345 as a committee bill; recommended confirmation of Governor's appointees to En Bloc Confirmation Calendar.

Adjourned: 3:30 p.m.

EDUCATION

Convened: March 21, 1985, 9:40 a.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:30 a.m.

ENERGY AND ENVIRONMENT

Convened: March 20, 1985, 1:35 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Brown, A. Miller, Gronstal, Rife and Hultman.

Members Absent: Soorholtz (excused).

Committee Business: Reported Senate Files 448 and 479 to the Senate calendar.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: March 21, 1985, 2:34 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Hannon, Murphy, C. Miller, Readinger, Vande Hoef, Gratias and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported Senate Files 191 and 482 and Senate Concurrent Resolution 23 to Senate calendar; approved SSBs 214, 318 and 350 and LSB 1173 S 71 as committee bills.

Adjourned: 3:45 p.m.

JUDICIARY

Convened: March 21, 1985, 10:30 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported Senate File 203 as amended to Senate calendar; approved SSB 289 as a committee bill; approved SSBs 314 and 360, as amended, as committee bills; recommended confirmation of Governor's appointee to En Bloc Confirmation Calendar.

Adjourned: 11:45 a.m.

JUDICIARY

Convened: March 21, 1985, 4:45 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Drake.

Committee Business: Recommended confirmation of Governor's appointees to the En Bloc Confirmation Calendar; reported Senate Files 355 and 224 to the Senate calendar; approved SSBs 335, 120, 255, 278 and 354 as committee bills.

Adjourned: 6:00 p.m.

LOCAL GOVERNMENT

Convened: March 21, 1985, 10:35 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef (arrived 10:48 a.m.) and Wells.

Committee Business: Assigned bills to subcommittees; approved SSB 316 as a committee bill; reported Senate File 325 as amended to Senate calendar.

Adjourned: 11:02 a.m.

LOCAL GOVERNMENT

Convened: March 21, 1985, 11:15 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe (arrived 11:22 a.m.), Vande Hoef and Wells.

Members Absent: none.

Committee Business: Approved SSB 302 as a committee bill; discussed and deferred action on Senate File 486.

Adjourned: 11:24 a.m.

NATURAL RESOURCES

Convened: March 21, 1985, 1:32 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Goodwin, Gratijs, Hannon, Hester, Husak, Neighbour, Rodgers and Tieden.

Members Absent: Schwengels, Ranking Member.

Committee Business: Deferred action on Senate File 430; recommended confirmation of Governor's appointees.

Adjourned: 1:45 p.m.

RULES AND ADMINISTRATION

Convened: March 21, 1985, 4:10 p.m.

Members Present: Hutchins, Vice Chair; Hultman, Ranking Member; Kinley, Gettings and Jensen.

Members Absent: Junkins, Chair.

Committee Business: Reported House Concurrent Resolutions 17 and 18 to the Senate calendar.

Adjourned: 4:15 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 21, 1985, 2:16 p.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger and Waldstein.

Members Absent: Ritsema and Vande Hoef.

Committee Business: Approved SSB 300A as a committee bill.

Adjourned: 2:27 p.m.

STATE GOVERNMENT

Convened: March 21, 1985, 3:45 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh.

Members Absent: Schwengels.

Committee Business: Reported Senate Files 308 and 110 as amended to the Senate calendar; approved SSBs 324, 339A and 62 as committee bills; assigned bills to subcommittees; assigned subcommittees for Governor's appointments.

Adjourned: 4:35 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Denison High School, Denison, Iowa — For being selected as the Iowa Delegation to the National Academic Decathlon. Senator Hutchins.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the appointment of Lorna Mae Burnside as a member of the Criminal and Juvenile Justice Advisory Council, completed its investigation on March 21, 1985, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the reappointments of Marguerite E. Cothorn, Jane Eastin and Karl A. Nelson, and the appointment of John R. Stokes as members of the Iowa State Civil Rights Commission, completed its investigation on March 21, 1985, and recommended the appointments be confirmed.

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the reappointments of L.C. Pike and Sally Brown Prickett as members of the State Racing Commission, completed its investigation on March 21, 1985, and recommended the appointments be confirmed.

Pursuant to Senate Rule 60, the Committee on Energy and Environment assigned to investigate the appointment of Julio A. Peguero and reappointment of Suzan F. Stewart as members of the Energy Policy Council, completed its investigation on March 20, 1985, and recommended the appointments be confirmed.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 526 (SSB 330), a bill for an act requiring successful completion of a course relating to handicapping conditions before issuance or renewal of any certificate, endorsement, or approval by the department of public instruction.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 23, a concurrent resolution establishing an interim study committee to review long-term care needs for chronically mentally ill individuals.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Wells, Bruner, Carr, Coleman, Hannon, Murphy, C. Miller, Gentleman, Readinger, Vande Hoef, Gratias and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 482, a bill for an act relating to the use of two-party checks for rent payments of persons receiving aid to dependent children.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Wells, Vande Hoef, Taylor, Readinger, C. Miller, Hannon and Gratias. Nays, 1: Murphy. Absent or not voting, 4: Carr, Coleman, Bruner and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 529, a bill for an act providing for the licensure and regulation of athletic trainers.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 7: Wells, Bruner, Carr, Murphy, C. Miller, Gratias and Taylor.

Nays, 4: Coleman, Gentleman, Readinger and Vande Hoef. Voting present, 1: Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 335, a bill for an act relating to modifications of custody orders involving children who are twelve years of age or older.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3446.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 521 (SSB 335), a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 1: Coleman. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 523 (SSB 354), a bill for an act to provide specific restrictions upon a restitution order for damages resulting directly from a violation of section 321.281.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 325, a bill for an act providing for rules relating to strength, agility, and general health of applicants for the position of fire fighter.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3448.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Priebe, Neighbour, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 522 (SSB 316), a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, 1: Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 524 (SSB 339A), a bill for an act relating to creating a residential care licensing classification for the mentally ill.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 525 (SSB 324), a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Thirty-five college students from the Northwestern College A Cappella Choir, Orange City, Iowa, accompanied by Kimberly Utke. Senator Ritsema.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Alexa L. Mayner be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

BERL E. PRIEBE

AMENDMENTS FILED

S-3445	S. F.	439	Bob Carr
S-3446	S. F.	335	Judiciary
S-3447	S. F.	499	Donald V. Doyle
			C. Joseph Coleman
			Milo Colton
			Don Gettings
S-3448	S. F.	325	Local Government
S-3449	S. F.	421	Tom Mann, Jr.
S-3450	S. F.	421	Ray Taylor
S-3451	S. F.	499	C. Joseph Coleman
S-3452	H.F.	476	Joe J. Welsh
S-3453	S. F.	393	Arne Waldstein
S-3454	S. F.	500	Douglas Ritsema

AFTERNOON SESSION

The Senate reconvened at 1:14 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 528, by Tieden and Carr, a bill for an act to extend Sunday hours for the sale of beer for consumption off the premises by allowing sales to begin at six a.m.

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

Senate File 529, by Committee on Human Resources, a bill for an act providing for the licensure and regulation of athletic trainers.

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

Senate File 530, by Committee on Judiciary, a bill for an act relating to the parole of persons convicted for the offenses of sexual abuse and lascivious acts with a child.

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

Senate File 531, by Committee on Judiciary, a bill for an act relating to guardianships and conservatorships.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holden and Gratias for the afternoon on request of Senator Hultman; Senator Miller of Des Moines for the afternoon on request of Senator Hutchins.

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.

**CONSIDERATION OF RESOLUTIONS
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration of House Concurrent Resolution 17.

House Concurrent Resolution 17

On motion of Senator Hultman, House Concurrent Resolution 17, a resolution relating to a biennial memorial session, with report of committee recommending passage, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 17, which motion prevailed by a voice vote and the resolution was adopted.

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 18.

House Concurrent Resolution 18

On motion of Senator Hultman, House Concurrent Resolution 18, a resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 18, which motion prevailed by a voice vote and the resolution was adopted.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 18.

Senate File 18

On motion of Senator Wells, Senate File 18, a bill for an act relating to the deposit of cremation ashes on private property, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wells offered amendment S—3283 filed by the committee on Human Resources on March 13, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3283 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?" (S.F. 18) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Jensen

Absent or not voting, 6:

Gratias	Holden	Holt	Miller, C.P.
Rodgers	Schwengels		

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 421

The Senate resumed consideration of Senate File 421, previously deferred.

Senator Mann offered amendment S—3449 filed by him from the floor to page 1 of the bill.

Senator Taylor asked and received unanimous consent that further action on amendment S—3449 be deferred.

Senator Taylor offered amendment S—3450 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3450 was adopted by a voice vote.

With the adoption of amendment S—3450, the Chair ruled amendment S—3449, previously deferred, out of order.

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. 421) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 2:

Gentleman	Rife
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Absent or not voting, 4:

Gratias	Holden	Miller, C.P.	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 BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 435.

Senate File 435

On motion of Senator Wells, Senate File 435, a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service, was taken up for consideration.

Senator Deluhery offered amendment S—3309 filed by him on March 14, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3309 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?" (S.F. 435) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Murphy

Absent or not voting, 5:

Gratias	Holden	Miller, C.P.	Priebe
Schwengels			

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 370.

Senate File 370

On motion of Senator Welsh, Senate File 370, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization, with report of committee recommending passage, was taken up for consideration.

Senator Colton took the chair at 1:50 p.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?" (S.F. 370) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Deluhery

Absent or not voting, 4:

Gratias	Holden	Miller, C.P.	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 BILLS
(House Files Substituted)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 453.

Senate File 453

On motion of Senator Carr, Senate File 453, a bill for an act to provide for the establishment of the Iowa higher education facilities program, was taken up for consideration.

Senator Carr offered amendment S—3342 filed by him on March 18, 1985, to page 14 of the bill and moved its adoption.

Amendment S—3342 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that **House File 541** be substituted for **Senate File 453** as amended.

Senator Carr asked and received unanimous consent that further action on **House File 541** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 278.

Senate File 278

On motion of Senator Waldstein Senate File 278, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein asked and received unanimous consent that **House File 555** be substituted for **Senate File 278**.

Senator Waldstein asked and received unanimous consent that further action on **House File 555** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 501.

Senate File 501

On motion of Senator Small, Senate File 501, a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties, was taken up for consideration.

Senator Small asked and received unanimous consent that House File 587 be substituted for Senate File 501.

Senator Small asked and received unanimous consent that further action on House File 587 be deferred and that the bill be placed on the calendar under unfinished business.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 445.

Senate File 445

On motion of Senator Drake, Senate File 445, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system, was taken up for consideration.

Senator Drake offered amendment S—3341 filed by him on March 18, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3341 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. 445) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.

Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Gratias	Holden	Hultman	Miller, C.P.
Murphy	Schwengels		

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

BUSINESS PENDING

House File 587

The Senate resumed consideration of House File 587, a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties, 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?" (H.F. 587) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Coleman	Gratias	Holden	Holt
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Hultman

Miller, C.P.

Murphy

Schwengels

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 25.

Senate Concurrent Resolution 25

On motion of Senator Hannon, Senate Concurrent Resolution 25, a resolution declaring the opposition of the General Assembly to certain proposed federal program reductions, was taken up for consideration.

Senator Hannon moved the adoption of Senate Concurrent Resolution 25, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 374.

Senate File 374

On motion of Senator Lind, Senate File 374, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Lind moved that the bill be read the last time now and placed upon 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. 374) the vote was:

Ayes, 46:

Boswell

Brown

Bruner

Carr

Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gratias	Holden	Miller, C.P.	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Small asked and received unanimous consent that **Senate File 501** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 455**.

Senate File 455

On motion of Senator Mann, **Senate File 455**, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to criminal prosecution, or which is the proceeds of criminal activity, was taken up for consideration.

Senator Mann withdrew amendment S—3423 filed by him on March 20, 1985, to pages 3, 5 and 9 of the bill.

Senator Mann offered amendment S—3429 filed by him on March 20, 1985, to pages 3, 5 and 9 of the bill and moved its adoption.

Amendment S—3429 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 455** be deferred.

The Senate recessed for the purpose of committee meetings.

The Senate resumed session, President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 532, by Committee on Agriculture, a bill for an act relating to the adoption of rules for the control of bovine brucellosis.

Read first time and placed on calendar.

Senate File 533, by Committee on Agriculture, a bill for an act relating to the content requirements of types of milk, and providing an effective date.

Read first time and placed on calendar.

Senate File 534, by Committee on Judiciary, a bill for an act to provide the same remedy to men and women against a libel or defamatory statement imputing sexual misconduct.

Read first time and placed on calendar.

Senate File 535, by Committee on Judiciary, a bill for an act relating to the use of convictions of violations of the motor vehicle laws as evidence in civil actions.

Read first time and placed on calendar.

Senate File 536, by Committee on Local Government, a bill for an act relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

Read first time and placed on calendar.

Senate File 537, by Committee on Transportation, a bill for an act to require owners of vehicles subject to proportional registration to make application to the department of transportation for registration and issuance of certificate of title, and providing an effective date.

Read first time and placed on calendar.

Senate File 538, by Committee on Agriculture, a bill for an act relating to an agricultural supply dealer's lien.

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 43 present, 7 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the afternoon on request of Senator Hultman; Senator Coleman for the afternoon on request of Senator Hutchins.

BUSINESS PENDING

Senate File 455

The Senate resumed consideration of Senate File 455, previously deferred.

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. 455) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A. V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor

Tieden
Welsh

Vande Hoef

Waldstein

Wells

Nays, none.

Absent or not voting, 5:

Coleman
Schwengels

Gratias

Holden

Miller, C.P.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 27.

Senate Concurrent Resolution 27

On motion of Senator Doyle, Senate Concurrent Resolution 27, a resolution relating to the judiciary, was taken up for consideration.

Senator Doyle moved the adoption of Senate Concurrent Resolution 27, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 465.

Senate File 465

On motion of Senator Waldstein, Senate File 465, a bill for an act relating to agricultural limestone, 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. 465) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Coleman	Gratias	Holden	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 Ritsema took the chair at 3:21 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 466.

Senate File 466

On motion of Senator Waldstein, Senate File 466, a bill for an act relating to the bonding requirements for a holder of a permit to sell seed, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the remainder of the afternoon on request of Senator Hultman.

BUSINESS PENDING

Senate File 466

The Senate resumed consideration of Senate File 466.

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. 466) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Gratias	Holden	Miller, C.P.
Schwengels	Tieden		

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

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 March 22, 1985, amended the Senate amendment and concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the House was asked:

House File 225, a bill for an act relating to economic

development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 467.

Senate File 467

On motion of Senator Doyle, Senate File 467, a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceedings, 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. 467) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings

Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Gratias	Holden	Miller, C.P.
Schwengels	Tieden		

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 468.

Senate File 468

On motion of Senator Doyle, Senate File 468, a bill for an act relating to the time for hearing of contested small claims, was taken up for consideration.

Senator Doyle offered amendment S—3351 filed by him on March 19, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3351 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. 468) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.

Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Gratias	Holden	Miller, C.P.
Schwengels	Tieden		

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 359.

Senate File 359

On motion of Senator Waldstein, Senate File 359, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date, 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?" (S.F. 359) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Coleman
Schwengels

Gratias
Tieden

Holden

Miller, C.P.

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 3:45 p.m.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 225

Senator Palmer called up for consideration House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3459 to Senate amendment H—3386 filed from the floor and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 15.

The motion prevailed and the Senate concurred in the House amendment to the Senate amendment.

Senator Palmer moved that the bill as amended by the Senate, further amended by the House, and concurred in by the Senate, be read the last time now and placed upon 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. 225) the vote was:

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

Ayes, 23:

Boswell	Brown	Carr	Corning
Deluhery	Gentleman	Gettings	Gronstal
Holt	Hultman	Husak	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Priebe	Readinger
Rodgers	Small	Welsh	

Nays, 21:

Bruner	Colton	Dieleman	Doyle
Drake	Goodwin	Hall	Hannon
Hester	Horn	Jensen	Kinley
Neighbour	Palmer	Rife	Ritsema
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells			

Absent or not voting, 6:

Coleman	Gratias	Holden	Miller, C.P.
Schwengels	Tieden		

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 29** be referred from the Regular Calendar to the committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 539, by Committee on Agriculture, a bill for an act relating to motor vehicle fuel.

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

Senate File 540, by Committee on State Government, a bill for an act relating to the financing of political campaigns and the reporting of that financing.

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

Senate File 541, by Committee on Human Resources, a bill for an act relating to adoption and termination of parental rights and providing penalties.

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

Senate File 542, by Committee on Human Resources, a bill for an act establishing a health care equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist health care providers in financing health care equipment.

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

Senate File 543, by Committee on Commerce, a bill for an act relating to underinsured and uninsured motorist coverage.

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

Senate File 544, by Committee on Commerce, a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, providing for a penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an

applicant for a loan shall report other installment loans that the applicant may have.

Read first time and placed on calendar.

Senate File 545, by Committee on Commerce, a bill for an act relating to the reorganization of bank affiliates.

Read first time and placed on calendar.

APPENDIX**SENATE STUDY BILLS****SSB 363 Small Business and Economic Development**

Relating to the granting of a partial real property tax credit for new construction of office-research facilities.

SSB 364 Human Resources

A concurrent resolution creating an interim study committee to review the impact of requiring the child support recovery unit within the department of human services to function as a statewide child and spousal support collection agency for the receipt and distribution of all temporary and permanent support payments.

SSB 365 State Government

Authorizing the legislative service bureau to provide legal opinions to legislators upon their request.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 532, a bill for an act relating to the adoption of rules for the control of bovine brucellosis.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande-Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 533 (SSB 265), a bill for an act relating to the content requirements of types of milk.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 538 (SSB 264), a bill for an act relating to agricultural supply dealer's lien.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 539, a bill for an act relating to motor vehicle fuel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 208, a bill for an act allowing the assets of insurance companies, state banks, state savings banks, and state savings and loan associations to be invested in venture capital firms making investments in small businesses in the state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3455.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 543 (SSB 345), a bill for an act relating to underinsured and uninsured motorist coverage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 544 (SSB 242), a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrower, modifying the penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an applicant for a loan shall report other installment loans that the applicant may have.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 545 (SSB 14), a bill for an act relating to the reorganization of bank affiliates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 479, a bill for an act relating to a tenant's right to know about hazardous chemicals used or stored at a residential rental property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3456.

Final Vote: Ayes, 8: Bruner, Colton, Carr, Brown, A. Miller, Gronstal, Corning and Rife. Nays, 1: Hultman. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 448, a bill for an act relating to residential gas and electric customers who may be eligible for the prohibition against disconnection of service from November 1 to April 1, with retroactive application to April, 1985.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3461.

Final Vote: Ayes, 6: Bruner, Colton, Carr, Brown, A. Miller and Gronstal. Nays, 3: Rife, Hultman and Corning. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 541, a bill for an act relating to adoption and termination of parental rights and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Vande Hoef, Taylor, Readinger, C. Miller, Hannon, Gratias, Wells and Murphy. Nays, none. Absent or not voting, 4: Carr, Coleman, Bruner and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 542, a bill for an act establishing a health care equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist health care providers in financing health care equipment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Wells, Carr, Coleman, Hannon, Murphy, Readinger, Gratias and Taylor. Nays, 1: Vande Hoef. Voting present, 3: Bruner, C. Miller and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 14, a bill for an act relating to the training and racing of dogs that have been trained with the use of live animals in the course of the training and providing penalties.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 457, a bill for an act relating to the custody of minor children.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 475, a bill for an act relating to corporate takeovers and providing penalties.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 530 (SSB 157), a bill for an act relating to the parole of persons convicted for the offenses of sexual abuse and lascivious acts with a child.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Gentleman, Holt, Horn and Taylor. Nays, none. Absent or not voting, 3: Hester, Drake and Small.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 531 (SSB 255), a bill for an act relating to guardianships and conservatorships.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 534 (SSB 120), a bill for an act to provide the same remedy to men and women against a libel or defamatory statement imputing sexual misconduct.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 535 (SSB 278), a bill for an act relating to the use of convictions of violations of the motor vehicle law as evidence in civil actions.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 536 (SSB 302), a bill for an act relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 540 (SSB 62), a bill for an act relating to the financing of political campaigns and the reporting of that financing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife and Welsh. Nays, none. Absent or not voting, 2: C. Miller and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 42, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access divided, multilaned highways including the interstate highway system.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Coleman, Hall, Doyle, Gettings, Jensen and A. Miller. Nays, 3: Drake, Goodwin and Kinley. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 442, a bill for an act requiring school bus drivers to be at least eighteen years of age.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 489, a bill for an act relating to wrecked or salvage vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 537, a bill for an act to require owners of vehicles subject to proportional registration to make application to the department of transportation for registration and issuance of certificate of title, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 421 passed the Senate on March 22, 1985.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 432 passed the Senate on March 22, 1985.

RICHARD VANDE HOEF

MR. PRESIDENT: I move to reconsider the vote by which House File 225 failed to pass the Senate on March 22, 1985.

WILLIAM D. PALMER

MR. PRESIDENT: I move to reconsider the vote by which House File 225 failed to pass the Senate on March 22, 1985.

CHARLES BRUNER

PRESENTATION OF VISITOR

The Chair welcomed the Honorable John Mowry, former member of the Senate and House from Marshall County, Marshalltown, Iowa.

AMENDMENTS FILED

S—3455	S. F.	208	Commerce
S—3456	S. F.	479	Energy & Environment
S—3457	S. F.	456	Donald V. Doyle
S—3458	H.F.	452	Patrick J. Deluhery
S—3459	H.F.	225	House amendment
S—3460	S. F.	409	Julia Gentleman
S—3461	S. F.	448	Energy & Environment
S—3462	S. F.	473	William W. Dieleman Jack Rife
S—3463	S. F.	518	William W. Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:05 p.m., until 10:00 a.m., Monday, March 25, 1985.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 25, 1985

The Senate met in regular session at 10:07 a.m., President Anderson presiding.

Prayer was offered by the Reverend Paul Frederiksen, pastor of the United Methodist Church, Ventura, Iowa.

The Journal of Friday, March 22, 1985, 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 22, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

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

The Senate stood at ease for the purpose of a party caucus until the fall of the gavel.

The Senate resumed session, President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 546, by Committee on Judiciary, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

Read first time and placed on calendar.

Senate File 547, by Committee on Judiciary, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department.

Read first time and placed on calendar.

Senate File 548, by Committee on Small Business and Economic Development, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities.

Read first time and placed on calendar.

Senate File 549, by Committee on Small Business and Economic Development, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in the Iowa venture capital fund and the earnings on the proceeds prior to investment to be used as prizes.

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 39 present, 11 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann 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 Files 440 and 266.

Senate File 440

On motion of Senator Gratias, Senate File 440, a bill for an act relating to the fees for certificates issued by the board of educational examiners, 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. 440) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Hannon	Hester	Holden
Holt	Husak	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Nays, 5:

Coleman	Doyle	Neighbour	Priebe
Rodgers			

Absent or not voting, 10:

Gronstal	Hall	Horn	Hultman
Kinley	Mann	Readinger	Rife
Waldstein	Wells		

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

Senate File 266

On motion of Senator Husak, Senate File 266, a bill for an act relating to veteran preference in public employment and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—3311 filed by the committee on State Government on March 14, 1985, to strike everything after the enacting clause of the bill.

Senator Hannon withdrew amendment S—3321 filed by her on March 15, 1985, to amendment S—3311.

Senator Bruner offered amendment S—3363 filed by him on March 19, 1985, to amendment S—3311 and moved its adoption.

Amendment S—3363 was adopted by a voice vote.

Senator Schwengels asked unanimous consent that further action on amendment S—3311 as amended be deferred.

Senator Schwengels withdrew his request.

(Senate File 266 and amendment S—3311 as amended, pending on recess.)

RECESS

On motion of Senator Junkins, the Senate recessed at 11:57 a.m., until 1:30 p.m.

APPENDIX**GOVERNOR'S VETO MESSAGE**

March 22, 1985

The Honorable Robert T. Anderson
Lieutenant Governor
State Capitol Building
LOCAL

Dear Governor Anderson:

Senate File 32, an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 32 is the so-called minimum pricing bill. This bill would make it illegal for Iowa farmers to sell a commodity below a minimum price in Iowa and in other states participating in the pricing system. The minimum price would go into effect for a particular commodity after states with at least sixty percent of the national production of that commodity adopt an established price. However, commodity purchases from farmers in states outside of the pricing territory and sales to processors in those states would not be subject to the minimum pricing requirements. In addition, the bill authorizes the Secretary of Agriculture to establish, under certain conditions, an authorized level of production for agricultural commodities in Iowa. Iowa farmers could thus have their production of commodities limited by a directive of the Secretary of Agriculture. Any Iowan found to have sold or purchased an agricultural commodity for less than the minimum price will be subject to imprisonment of up to one year and a fine of up to \$10,000, or both.

Proponents of Senate File 32 argue that the bill will increase the income of Iowa farmers by forcing purchasers to accept higher prices for Iowa agricultural commodities. In addition, the proponents of Senate File 32 suggest that regardless of the substantial doubts about the effectiveness of this legislation, it could send a message to national policymakers of the need for additional action to address farm financial problems.

I understand and sympathize with the concerns of proponents of this legislation. Indeed, the financial problems facing agriculture are more serious than at any time since the Great Depression of the 1930's. Agricultural economists at Iowa State University have indicated that up to forty percent of Iowa farmers are having some financial difficulties.

The reasons for these financial problems are quite clear: interest rates, after deducting for inflation, remain at an all time high and the prices received for farm commodities have dropped significantly over the past year. In Iowa, farm income has dropped by over \$2.2 billion from the record level achieved in 1981 and there are projections for a further decline this year. Cash receipts for Iowa farmers have dropped 11.5 percent since 1981 and exports of Iowa agricultural commodities are down by almost 28 percent.

These numbers do not tell the whole story. Too many Iowa farm families are facing the pain and hurt of being forced off the farm and many of our small businesses have shut their doors because of reduced agricultural sales. The entire rural fabric of our state is being severely tested by these economic troubles.

It is important to note that Iowa is not the only state experiencing farm troubles and that these problems are not of our own doing. From New York to California, the farm problem is spreading as debts pile up and commodity prices shrink. Moreover, the high interest rates that have forced up the cost of production are the result of national policies and huge federal budget deficits. The reduced prices for agricultural commodities are, in a large part, the result of these same national policies which have distorted the value of the dollar and have thus put an effective 30 to 50 percent tax on all of our agricultural exports.

As Governor of the leading farm state in the nation, I was one of the first to recognize this problem, to call it to the attention of the national policymakers, to identify the reasons behind our agricultural difficulties, and to lay out a plan for national action to address them. Almost one year ago I called for a federal debt restructuring program to provide farmers with a short-term debt relief they need to get a crop in the ground this spring. I personally visited with the President and outlined to him the seriousness of the agricultural credit crisis and the problems with his proposed farm bill. And, I am leading an effort among the nation's Governors to prevent a reduction in target prices and loan support levels for agricultural commodities in 1985 and to provide for long-term solutions to our agricultural problems.

And, we have made some progress. We have obtained a substantial revised debt restructuring plan which is workable and is being used by many bankers throughout the state of Iowa. Preliminary action by Congress indicates a willingness to maintain the present price support levels for agricultural commodities and an interest in exploring ways to restore profitability to agriculture for the long term.

Indeed, we need both short-term and long-term answers to our problems. In the short-term, even the proponents of the minimum pricing bill indicate that it could do little to relieve the debt problem which threatens many Iowa farmers from getting the credit they need to get the crop in the ground this spring. It would take several years, at minimum, to fully develop the minimum pricing mechanism. Moreover, legal experts have indicated that the constitutionality of a minimum pricing mechanism has not yet been determined. Therefore, it is likely that a court test on the constitutionality of this system would further hold up implementation of such a system.

In the short term, we need to continue to focus our efforts on restructuring farm debt to give farmers time to work out of their present financial difficulties. In this regard, legislation I have proposed to establish a limited moratorium on farm foreclosures would be useful in encouraging participation in a debt restructuring program.

For the long term, proponents of the minimum pricing bill are correct in noting that the solution to long-term agricultural problems will require restoration of profitability to farming.

And, the only way to restore profitability is to ensure better prices for farm commodities. We must look for all workable ways to increase the prices for these commodities in the future. I am committed to thoroughly and carefully reviewing all alternatives which may increase the price Iowa farmers receive for their products.

Therefore, I conducted such a review of this minimum pricing proposal. I solicited input from farmers on both sides of this issue and received advice from our state's top agricultural economists.

As a result of this review and after careful analysis of the available information, I have determined that I cannot sign Senate File 32 into law. Recognizing the importance of agriculture to our state's economy, I cannot, as Governor, approve legislation which the experts tell me will have the likely result of reducing, not increasing farm income.

A thorough study of the probable impacts of the Iowa minimum price proposal conducted by the Economics Department at Iowa State University concluded that there is a high probability that Iowa would suffer a net loss of income if this proposal went into effect.

The reasons for the probable loss of income to Iowa farmers are clear. To control price, you must control the market and 60 percent of U.S. corn and soybean products amounts to only 9 percent of world grain and soybean production. The exercise of market power to dictate price would be more effective if done on a nationwide basis. That would also prevent the evasion problems that would doom a state-by-state proposal.

According to the ISU study, the state-by-state approach offered in Senate File 32 includes no effective control over the supply of agricultural commodities. As the result, many Iowa livestock and processing industries would likely purchase their commodities from states that are not participating in the price scheme. Therefore, the study concludes that only the transportation industry, not the Iowa farmer, would benefit from this legislation.

Many Iowa farmers would be left without a market for their products. Those with sufficient marketing expertise would most likely seek willing buyers outside of the pricing territory and the others could be forced to allow their products to perish. This would be a particular problem for Iowa livestock producers since livestock cannot be stored but must be marketed once the appropriate market weight is reached.

In short, the ISU study concluded that the supply control mechanism in Senate File 32 is not sufficient to ensure higher incomes for Iowa farmers. In fact, the law would most likely reduce income to Iowa farmers by denying markets for their products. In addition, the study determined that even with an effective supply control system, a state by state minimum pricing proposal would encourage the substitution of other crops for those produced by Iowa farmers. Thus, it would continue to result in a reduction of prices for the commodities now produced by Iowa farmers. Indeed, the study determined that, if the bill were corrected to prevent the evasion of the law which it now encourages, the negative economic impact of Senate File 32 would even more staggering — a loss of approximately 86,000 Iowa jobs and \$6.7 billion in economic activity.

Given the present state of the Iowa agricultural economy, we cannot afford to adopt proposals which could reduce farm income or substantially reduce the number of jobs available in Iowa.

Finally, proponents of this legislation argue that, regardless of the effectiveness of the proposal, it would send a message to Washington of the seriousness of the agricultural problems facing the Midwest. Signing this proposal would send a message to these policymakers, but I am convinced it would be the wrong message.

Allowing Senate File 32 to go into law could have the effect of taking the pressure off national policymakers who must take action to restore profitability to agriculture. At this critical time, we must not reduce the pressure on national agricultural officials; we must increase our efforts to secure long-term agricultural policies which will increase the income received by Iowa farmers.

As part of that effort, I plan to continue to lead the nation's Governors in an effort to convince Washington of the need to provide for profitable agriculture. I plan to go to the White House on March 28 to personally take that message to our nation's leaders.

Moreover, I am concerned that signing this legislation would send the wrong message to Iowa farmers. It could have the impact of giving Iowa farmers the false hope that the prices they received for their products will be miraculously increased. Indeed, as even the proponents acknowledge, the minimum price mechanism could not be put into effect for several years and even then ISU experts note that it would have a negative impact on farm income. Iowa farmers do not need a cruel hoax; they need real help in the form of debt restructuring and higher prices. And, I plan to continue my efforts to secure both.

Finally, I am concerned that signing Senate File 32 would send the wrong message to other states which have traditionally looked to Iowa for leadership

on farm issues. If Iowa puts into effect a law which would have the impact of reducing farm income and have little chance of working, I am concerned that we could permanently damage our credibility on farm issues. As a national leader in developing credible solutions to our farm problems, the state of Iowa must not shirk its important responsibility.

In summary, the proponents of Senate File 32 have appropriately identified the long-term need to increase farm income if we are to solve our agricultural problems. However, this legislation would likely reduce farm income, not increase it. In addition, I am concerned that signing this legislation would take the pressure off Washington to act to address our agricultural problems and would provide only false hopes to Iowa farmers at this critical time. Instead, we need to redouble our efforts to demand changes in national farm policy to keep our farmers on the land and restore profitability to agriculture.

Therefore, for the above reasons, I hereby respectfully disapprove of Senate File 32.

Very truly yours,
TERRY E. BRANSTAD
Governor

BILL RETURNED TO CALENDAR FROM COMMITTEE

Pursuant to motion by Senator Hutchins on Friday, March 15, 1985, Senate File 461, referred to the committee on Commerce, was returned to the Senate Regular Calendar.

MEMORIAL COMMITTEE

Pursuant to House Concurrent Resolution 17, duly adopted, President Anderson appointed the following Senate members to the committee to make arrangements for a joint memorial session:

Charles P. Miller, Chair
C. Joseph Coleman
Ray Taylor
Dale L. Tieden

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 22, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 378 — Relating to the share of the surviving spouse in intestate succession.

REPORTS OF COMMITTEE MEETINGS

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 22, 1985, 10:24 a.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger, Ritsema and Vandé Hoef.

Members Absent: Rife, Ranking Member and Waldstein.

Committee Business: Approved SSB 363 as a committee bill; recommended confirmation of Governor's appointees to En Bloc Confirmation Calendar.

Adjourned: 10:30 a.m.

STATE GOVERNMENT

Convened: March 22, 1985, 2:30 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, Rife and Welsh.

Members Absent: C. Miller and Schwengels (both excused).

Committee Business: Approved SSBs 62, 349, 352 and 365 as committee bills; referred Senate File 464 back to subcommittee; assigned bills to subcommittees.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: March 22, 1985, 9:50 a.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved LSB 1671S and ordered redrafted as a committee bill; reported Senate Files 42, 489 and 442 to the Senate calendar.

Adjourned: 10:15 a.m.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 191, a bill for an act establishing a central registry of brain-injured persons within the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Wells, Bruner, Carr, Coleman, Hannon, Murphy, C. Miller, Gentleman, Readinger, Vande Hoef, Gratias and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 477, a bill for an act relating to the search of students or protected student areas.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3465.

Final Vote: Ayes, 9: Doyle, Mann, Carr, Coleman, Deluhery, Drake, Gentleman, Horn and Small. Nays, 4: Ritsema, Dieleman, Hester and Taylor. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 546 (SSB 167), a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Horn, Small and Taylor. Nays, 1: Drake. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 547 (SSB 112), a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Gentleman, Holt, Horn, Small, Taylor, Deluhery and Dieleman. Nays, 2: Carr and Coleman. Absent or not voting, 2: Drake and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 548 (SSB 363), a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Small, Rodgers, Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger, Ritsema and Vande Hoef. Nays, none. Absent or not voting, 2: Rife and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 549 (SSB 300A), a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in the Iowa venture capital fund and the earnings on the proceeds prior to investment to be used as prizes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Small, Rodgers, Rife, Boswell, Brown, Doyle, Hutchins, Neighbour, Readinger and Waldstein. Nays, none. Absent or not voting, 2: Ritsema and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 110, 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, providing for civil penalties, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3464.

Final Vote: Ayes, 9: Carr, Dieleman, Bruner, Coleman, Gentleman, Horn, Mann, C. Miller and Welsh. Nays, 4: Nystrom, Corning, Drake and Rife. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 1:32 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 40 present, 10 absent and a quorum present.

BUSINESS PENDING

Senate File 266

The Senate resumed consideration of Senate File 266 and amendment S—3311 as amended, pending on recess.

Senator Lind asked and received unanimous consent that further action on **Senate File 266** and amendment S—3311 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Files 449, 314, 459 and 460.

Senate File 449

On motion of Senator Small, Senate File 449, a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication, 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. 449) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Tieden	Wells	

Nays, 10:

Gentleman	Goodwin	Gratias	Hester
Holden	Holt	Jensen	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 5:

Hultman	Mann	Murphy	Schwengels
Welsh			

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

Senate File 314

On motion of Senator Drake, Senate File 314, a bill for an act to repeal the rebuttable presumption of negligence on the part of persons operating electrical transmission lines for injuries to person or property, 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?" (S.F. 314) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall

Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Miller, A. V.
Miller, C.P.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Deluhery	Hultman	Mann	Murphy
Schwengels	Welsh		

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

Senate File 459

On motion of Senator Boswell, Senate File 459, a bill for an act relating to real property which is subject to foreclosure, was taken up for consideration.

Senator Boswell offered amendment S—3441 filed by him on March 21, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3441 was adopted by a voice vote.

Senator Boswell offered amendment S—3333 filed by Senators Hutchins and Husak on March 18, 1985, to page 5 of the bill and moved its adoption.

Amendment S—3333 was adopted by a voice vote.

Senator Boswell moved that the bill be read the last time now and placed upon 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. 459) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt

Horn	Husak	Hutchins	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Holden	Lind	Rife
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Absent or not voting, 5:

Hultman	Jensen	Mann	Murphy
Schwengels			

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

Senate File 460

On motion of Senator Holden, Senate File 460, a bill for an act permitting the amendment of a filing statement under the uniform commercial code signed by only the secured party if the amendment is filed to show a change of the name of the secured party, 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. 460) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Voting present, 1:

Gentleman

Absent or not voting, 3:

Hultman

Mann

Schwengels

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 480.

Senate File 480

On motion of Senator Brown, Senate File 480, a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication, was taken up for consideration.

Senator Brown offered amendment S—3389 filed by him on March 19, 1985, to page 1 of the bill.

Senator Corning raised the point of order that amendment S—3389 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3389 in order.

Senator Corning asked and received unanimous consent that further action on **Senate File 480** and amendment S—3389 be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 490, 502, 503, 505, 508 and 511.

Senate File 490

On motion of Senator Dieleman, Senate File 490, a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between

Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken, 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. 490) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannón	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Mann	Schwengels	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 502

On motion of Senator Holden, Senate File 502, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties, 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. 502) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Mann Palmer

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

Senate File 503

On motion of Senator Miller of Cerro Gordo, Senate File 503, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' self-insured workers' compensation plan, 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. 503) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels

Small
Vande Hoef

Soorholtz
Waldstein

Taylor
Wells

Tieden
Welsh

Nays, none.

Absent or not voting, 2:

Holt

Mann

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

Senate File 505

On motion of Senator Drake, Senate File 505, a bill for an act relating to the regulation of motor carriers and making penalties applicable, 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. 505) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

Senate File 508

On motion of Senator Drake, Senate File 508, a bill for an act relating to the forcible entry or detention of real property, 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. 508) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

Senate File 511

On motion of Senator Schwengels, Senate File 511, a bill for an act to extend the time for the completion of the flood plain mapping plan, 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?" (S.F. 511) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Holden

Absent or not voting, 1:

Mann

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 Murphy asked and received unanimous consent that **Senate File 541** be referred from the Regular Calendar to the committee on **Human Resources**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 172 and 485, Senate Concurrent Resolution 30 and Senate Files 203, 308, 452 and 450.

Senate File 172

On motion of Senator Jensen, Senate File 172, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor, with report of committee recommending passage, was taken up for consideration.

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. 172) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratjas	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Mann Murphy

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

Senate File 485

On motion of Senator Holden, Senate File 485, a bill for an act relating to the investment powers of state chartered savings and loan associations and savings banks, 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. 485) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman

Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Mann Miller, A.V.

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

Senate Concurrent Resolution 30

On motion of Senator Priebe, Senate Concurrent Resolution 30, a resolution requesting Congress to change federal legislation affecting the sale of agricultural land, was taken up for consideration.

Senator Coleman took the chair at 3:30 p.m.

Senator Priebe asked and received unanimous consent that further action on **Senate Concurrent Resoution 30** be deferred.

Senate File 203

On motion of Senator Drake, Senate File 203, a bill for an act relating to civil actions for punitive damages by restricting the discovery and disclosure of financial documents, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Drake offered amendment S—3442 filed by the committee on Judiciary on March 21, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3442 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. 203) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	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 308

On motion of Senator Rodgers, Senate File 308, a bill for an act relating to the appointment of assessors, 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. 308) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester

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

Nays, 5:

Coleman	Corning	Gentleman	Murphy
Tieden			

Absent or not voting, 1:

Mann

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 542** be referred from the Regular Calendar to the committee on **Human Resources**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 452

On motion of Senator Doyle, Senate File 452, a bill for an act authorizing conversion of certain real property to a mobile home, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **Senate File 452** be deferred.

Senate File 450

On motion of Senator Gronstal, Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for

energy conservation improvements, with report of committee on Commerce recommending passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 450** be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 28** and **Senate File 521**.

Senate Concurrent Resolution 28

On motion of Senator Priebe, **Senate Concurrent Resolution 28**, a resolution to request an interstate compact for controlling bovine brucellosis, was taken up for consideration.

Senator Priebe moved the adoption of **Senate Concurrent Resolution 28**, which motion prevailed by a voice vote and the resolution was adopted.

Senate File 521

On motion of Senator Horn, **Senate File 521**, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law, 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. 521) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger

Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Jensen	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.

HOUSE AMENDMENT CONSIDERED

Senate File 269

Senator Gronstal called up for consideration Senate File 269, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions, amended by the House, and moved that the Senate concur in House amendment S—3324 filed March 18, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gronstal 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. 269) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Lind Miller, C.P.

Absent or not voting, 2:

Jensen 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 Files 514 and 439.

Senate File 514

On motion of Senator Small, Senate File 514, a bill for an act relating to garnished accounts of supervised financial organizations, 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. 514) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Jensen

Mann

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

Senate File 439

On motion of Senator Carr, Senate File 439, a bill for an act relating to drug product selection, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on amendments S—3327 and S—3328 be deferred for consideration of amendment S—3445.

Senator Carr offered amendment S—3445 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3445 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that **House File 315** be substituted for **Senate File 439** as amended.

Senator Carr asked and received unanimous consent that **Senate File 439** be withdrawn from further consideration of the Senate.

The following amendments filed by Senator Lind on March 18, 1985, to page 1 of Senate File 439, were out of order:

S—3327 and S—3328, previously deferred, and S—3329 through S—3332.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the afternoon on request of Senator Hultman.

HOUSE AMENDMENT CONSIDERED

Senate File 150

Senator Corning called up for consideration **Senate File 150**, a bill for an act relating to the appointment date for a secretary of a school board, amended by the House, and moved that the Senate concur in House amendment S—3323 filed **March 18, 1985**.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Corning 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. 150) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Jensen Mann

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 Hutchins asked and received unanimous consent that **Senate File 536** be referred from the Regular Calendar to the committee on **Education** and that **Senate File 529** be referred from the Regular Calendar to the committee on **State Government**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 409.

Senate File 409

On motion of Senator Junkins, Senate File 409, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication, with report of committees on Appropriations and State Government recommending amendments and passage, was taken up for consideration.

Senator Carr asked and received unanimous consent to withdraw amendment S—3310 filed by the committee on State Government on March 14, 1985, to page 1 of the bill.

Senator Welsh offered amendment S—3350 filed by the committee on Appropriations on March 19, 1985, to pages 1 and 4 of the bill.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 409** and amendment S—3350 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 25, 1985, amended and passed the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 19, a resolution relating to the National Railroad Passenger Corporation (S—3478).

ALSO: That the House has on March 25, 1985, passed the following bills in which the concurrence of the Senate is asked.

House File 124, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs.

House File 360, a bill for an act to include group homes for children in need of assistance as a residential use of property for zoning purposes.

House File 366, a bill for an act relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles.

House File 497, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies.

House File 625, a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

House File 626, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining.

House File 641, a bill for an act relating to the violation of a custodial order and providing penalties.

House File 645, a bill for an act relating to the appointment of a clerk to the board of supervisors.

House File 646, a bill for an act relating to the issuance of bonds for general purposes by cities and counties.

House File 647, a bill for an act relating to the disposal of hazardous wastes by land burial.

House File 660, a bill for an act relating to the reporting of fires and emergency responses to the state fire marshal and the payment of fees for the fire reports.

The foregoing bills were read first time and passed on file.

INTRODUCTION OF BILL

Senate File 550, by Committee on Education, a bill for an act relating to the continuing contracts for employment of certificated school corporation employees and providing for the repeal of the professional standards board and establishment of a state tenure commission.

Read first time and placed on calendar.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 23** be referred from the Regular Calendar to the committee on **Rules and Administration**.

APPENDIX

PETITIONS

The following petitions were presented and placed on file by:

Senators Carr and Welsh from one thousand sixty-six residents of Iowa and Dubuque Counties favoring legislation to lower the fees for obtaining a license for hunting, fur trapping and fishing to the 1984 rates.

Senator Schwengels from thirteen residents of Keokuk County favoring legislation relating to the regulation of telecommunication services (fair telephone rates).

Senator Schwengels from thirty-nine residents of Polk County opposing legislation placing a one percent tax on health premiums.

Senator Kinley from thirteen residents of Keokuk County supporting state tax exemption for social security benefits.

Senator Husak from twenty-four residents of Black Hawk County favoring legislation to make utility rates more affordable.

The following petitions favoring legislation to include public and non-public teachers in the teacher certification bill were presented and placed on file by:

Senator Murphy from one hundred forty-four residents of Iowa.

Senator Horn from three hundred five residents of Iowa.

The following petitions favoring legislation to increase the appropriation to the Iowa State Transit Assistance Fund were presented and placed on file by:

Senator Gratias from fifty-seven residents of Chickasaw County.

Senator Taylor from one hundred one residents of Franklin County.

Senator Murphy from thirty-nine residents of Fayette County.

Senator Tieden from one hundred forty-six residents of Clayton and Winneshiek Counties.

Senator Junkins from one hundred ninety-four residents of Winneshiek, Van Buren, Allamakee and Clayton Counties.

Senator Holden from seventy-seven residents of Scott County.

The following petitions favoring legislation relating to the private instruction received by certain children between the ages of seven and sixteen (Senate File 311), were presented and placed on file by:

Senator Tieden from two hundred thirty-three residents of Winneshiek, Clayton and Fayette Counties.

Senator Schwengels from eighty-five residents of Jefferson and Mahaska Counties.

Senator Gratias from sixteen residents of Floyd County.

Senator Small from eighteen residents of Johnson County.

Senator Holden from one hundred seventeen residents of Scott County.

Senator Junkins from two hundred thirteen residents 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 25th day of March, 1985:

Senate Files 90, 149 and 215.

K. MARIE THAYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

H.F.	49	Transportation
H.F.	244	Human Resources
H.F.	274	Education
H.F.	540	Natural Resources
H.F.	553	State Government
H.F.	642	Appropriations
S. F.	520	Ways and Means
S. F.	527	State Government
S. F.	528	State Government

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 462, a bill for an act relating to public utilities making civil penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3475.

Final Vote: Ayes, 8: Kinley, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, 2: Deluhery and Gronstal. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 272, a bill for an act relating to the evaluation of educational programs.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 470, a bill for an act to provide a procedure for the board of directors of a school district to make up school days canceled due to inclement weather.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Brown, Horn, Gratiias, Colton, Hannon, Lind, Murphy, Taylor and Wells. Nays, 1: Corning.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 550 (SSB 321), a bill for an act relating to the continuing contracts, discharge, and discipline of certificated school corporation employees and providing for the repeal of the professional standards board and establishment of a state tenure commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Brown, Horn, Gratiias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 503 passed the Senate on March 25, 1985.

NORMAN G. RODGERS

MR. PRESIDENT: I move to reconsider the vote by which Senate File 503 passed the Senate on March 25, 1985.

RAY TAYLOR

MR. PRESIDENT: I move to reconsider the vote by which Senate File 503 passed the Senate on March 25, 1985.

ALVIN V. MILLER

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 25, 1985, when the final vote was taken on Senate File 440.

Had I been present, I would have voted "aye" on the bill.

DAVID M. READINGER

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Friday afternoon, March 22, 1985.

Had I been present, I would have voted "aye" on the following: Senate Concurrent Resolutions 25 and 27; Senate Files 18, 359, 370, 374, 421, 435, 445, 455, 465, 466, 467 and 468; House Concurrent Resolutions 17 and 18; and House File 587.

I would have voted "nay" on House File 225.

CHARLES P. MILLER

SENATE STUDY BILLS

SSB 366 Ways and Means

Allowing a city or county to impose a property tax levy for economic development activities.

SSB 367 Ways and Means

Relating to the purchase of motor fuel by a regional transit system, providing for a tax refund, and providing penalties.

SSB 368 Ways and Means

Relating to the state aviation fund by expanding authorized use of aviation funds for airports, eliminating refunds on aviation gas tax, eliminating the aviation gas tax refund, crediting revenues from the tax on the sale of jet fuel to the state aviation fund, and providing an effective date.

SSB 369 Ways and Means

Providing a soil conservation tax credit for certain uses of agricultural land.

SSB 370 Ways and Means

Relating to the definition of retail sales for purposes of the state sales, service, and use tax.

SSB 371 Ways and Means

Relating to the state sales, services, and use tax on licensed executive search agencies.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Eighty seniors from Grinnell High School, Grinnell, Iowa, accompanied by La Monyne Gaard. Senator Brown.

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

Senior students from Clay Central High School, Royal, Iowa, accompanied by Mr. Lou Heller. Senator Holt.

AMENDMENTS FILED

S—3464	S. F.	110	State Government
S—3465	S. F.	477	Judiciary
S—3466	S. F.	439	Bob Carr
S—3467	S. F.	518	Forrest Schwengels
S—3468	S. F.	499	Edgar H. Holden
S—3469	S. F.	518	William W. Dieleman
S—3470	S. F.	409	Lowell L. Junkins
S—3471	S. F.	442	Donald V. Doyle
S—3472	S. F.	482	Edgar H. Holden
S—3473	S. F.	499	Thomas A. Lind
S—3474	S. F.	462	Michael E. Gronstal
			Donald V. Doyle
			Charles Bruner
			Milo Colton
			Douglas Ritsema
S—3475	S. F.	462	Commerce
S—3476	S. F.	438	James D. Wells
			Bill Hutchins

S-3477	H.F.	231	Forrest Schwengels
S-3478	S. C.R.	19	C. Joseph Coleman
			Arne Waldstein
			House amendment

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Tuesday, March 26, 1985.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
 FORTY-SEVENTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Tuesday, March 26, 1985

The Senate met in regular session at 9:03 a.m., President Anderson presiding.

Prayer was offered by the Reverend James Bearden, pastor of the Church of the Nazarene, Oskaloosa, Iowa.

The Journal of Monday, March 25, 1985, 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 25, 1985, passed with amendment H-3427 the following bill in which the concurrence of the Senate is asked:

House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property.

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

ALSO: That the House has on March 25, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 130, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

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

House File 204, a bill for an act relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offenses.

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

House File 359, a bill for an act relating to fees for boiler inspections.

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

House File 422, a bill for an act relating to the license fee for commercial explosives.

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

House File 616, a bill for an act relating to the administration of maternal and child health programs and crippled children's programs by the department of health.

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

House File 664, a bill for an act relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the morning session on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 433, 116, 295, 444, 447 and 438.

Senate File 433

On motion of Senator Dieleman, Senate File 433, 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 Holden offered amendment S-3479 filed by Senators Holden, et al., from the floor to pages 1, 2 and 5 through 16 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 20.

Amendment S—3479 was adopted.

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—3479 to Senate File 433 was adopted by the Senate on March 26, 1985.

A non record roll call was requested.

The ayes were 21, nays 25.

The motion lost.

Senator Dieleman asked and received unanimous consent that further action on Senate File 433 be deferred.

Senate File 116

On motion of Senator Colton, Senate File 116, a bill for an act to require at least one well at each sanitary landfill to monitor ground water quality, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Colton offered amendment S—3298 filed by the committee on Energy and Environment on March 14, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3298 was adopted by a voice vote.

Senator Colton offered amendment S—3334 filed by Senator Bruner on March 18, 1985, to the title page of the bill and moved its adoption.

Amendment S—3334 was adopted by a voice vote.

Senator Colton asked and received unanimous consent that House File 469 be substituted for Senate File 116.

Senate File 295

On motion of Senator Carr, Senate File 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—3308 filed by the committee on State Government on March 14, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3308 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?" (S.F. 295) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senate File 444

On motion of Senator Mann, Senate File 444, a bill for an act relating to the time in which a defendant may waive the defendant's right to a jury trial, 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. 444) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Heef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Palmer

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

Senate File 447

On motion of Senator Welsh, Senate File 447, a bill for an act to license operators of radiation emitting equipment, was taken up for consideration.

Senator Carr offered amendment S—3319 filed by him on March 14, 1985, to strike everything after the enacting clause of the bill.

Senator Holden offered amendment S—3488 filed by Senators Holden, et al., from the floor to pages 1 through 6 of amendment S—3319.

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 24.

Amendment S—3488 lost.

Senator Holden offered amendment S—3428 filed by Senators Holden, et al, on March 28, 1985, to pages 1 through 6 of amendment S—3319 and moved its adoption.

Amendment S—3428 was adopted by a voice vote.

Senator Hester withdrew amendment S—3433 filed by him on March 21, 1985, to page 5 of amendment S—3319.

Senator Hester offered amendment S—3486 filed by him from the floor to page 5 to amendment S—3319 and moved its adoption.

A noni record roll call was requested.

The ayes were 14, nays 29.

Amendment S—3486 lost.

Senator Rodgers took the chair at 10:40 a.m.

Senator Holden asked and received unanimous consent that further action on **Senate File 447** and amendment S—3319 as amended be **deferred**.

INTRODUCTION OF BILL

Senate File 551, by Committee on Human Resources, a bill for an act relating to the administration of maternal and child health programs and crippled children's programs by the department of health.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:45 a.m., until 2:30 p.m.

APPENDIX

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 551, a bill for an act relating to the administration of maternal and child health programs and crippled children's programs by the department of health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Wells, Bruner, Carr, Coleman, Hannon, Murphy, C. Miller, Gentleman, Readinger, Vande Hoef, Gratias and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 419, a bill for an act relating to the payment of court costs and providing a penalty.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PROOF OF PUBLICATION

Published copy of House File 181 and verified proof of publication of said bill in The Quad-City Times, a newspaper published in Davenport, Iowa, on January 22, 1985, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Appropriations assigned to investigate the appointment of Jacklyn K. Van Ekeren as a member of the State Board of Regents, completed its investigation on March 25, 1985, and made no recommendation.

PRESENTATION OF VISITORS

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

Forty-one senior students from Nora Springs-Rock Falls Junior-Senior High School, Nora Springs, Iowa, accompanied by Frank Ahman. Senator Gratiyas.

Seventy students, members of the Girl Scouts from six councils, accompanied by Diane Miller. Senators Miller of Des Moines and Schwengels.

AMENDMENTS FILED

S-3479	S. F.	433	Edgar H. Holden Hurley W. Hall Dale Tieden Jack W. Hester
S-3480	S. F.	448	Michael E. Gronstal
S-3481	S. F.	441	Donald V. Doyle
S-3482	S. F.	474	Donald V. Doyle
S-3483	S. F.	539	Emil J. Husak
S-3484	S. C. R.	30	Berl E. Priebe Edgar H. Holden
S-3485	H. F.	450	Joy Corning
S-3486	S. F.	447	Jack Hester
S-3487	S. F.	447	Jack Hester
S-3488	S. F.	447	Edgar H. Holden Hurley W. Hall Dale L. Tieden Jack Hester Julia Gentleman
S-3489	S. F.	447	Edgar H. Holden Hurley W. Hall Dale L. Tieden Jack Hester Julia Gentleman
S-3490	S. F.	84	Tom Mann, Jr.

S-3491	S. F.	523	Tom Mann, Jr.
S-3492	S. F.	516	Tom Mann, Jr.
S-3493	S. F.	546	Julia Gentleman
S-3494	S. F.	473	Julia Gentleman
S-3495	S. F.	252	Thomas A. Lind
S-3496	S. F.	499	C. Joseph Coleman

AFTERNOON SESSION

The Senate reconvened at 2:35 p.m., President pro tempore Rodgers presiding.

QUORUM CALL

Senator Hutchins 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 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 25, 1985, passed with amendment H—3336 the following bill in which the concurrence of the Senate is asked:

House File 181, a bill for an act to legalize proceedings taken by the city council of the city of Buffalo, Iowa relating to the compensation of the mayor.

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

ALSO: That the House has on March 25, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 268, a bill for an act relating to the escapees from community-based correctional facilities, and adopting penalties.

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

House File 618, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

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

ALSO: That the House has on March 26, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 639, a bill for an act relating to the presence and removal of asbestos in public school buildings.

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

House File 696, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties and liability.

This bill was 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 Files 438, 456, 334, 499 and 515.

Senate File 438

On motion of Senator Coleman, Senate File 438, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents, with report of committee on State Government recommending passage, was taken up for consideration.

Senator Wells offered amendment S—3476 filed by Senators Wells, et al., on March 25, 1985, to pages 1 and 2 of the bill.

Senator Small asked and received unanimous consent that further action on **Senate File 438** and amendment S—3476 be deferred.

Senate File 456

On motion of Senator Doyle, Senate File 456, a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date, was taken up for consideration.

Senator Doyle offered amendment S—3344 filed by him on March 18, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3344 was adopted by a voice vote.

Senator Mann offered amendment S—3415 filed by him on March 20, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3415 was adopted by a voice vote.

Senator Doyle offered amendment S—3457 filed by him on March 22, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3457 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. 456) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Murphy

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

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 383

Senator Hultman withdrew the motion to reconsider Senate File 383, a bill for an act relating to the ranking of certain expanding employers on the unemployment compensation contribution rate tables, filed by him on March 12, 1985, and found on page 745 of the Senate Journal.

Senator Mann withdrew the motion to reconsider Senate File 383, filed by him on March 12, 1985, and found on page 745 of the Senate Journal.

Senate File 334

On motion of Senator Mann, Senate File 334, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that **House File 124** be substituted for **Senate File 334**.

Senate File 499

On motion of Senator Kinley, Senate File 499, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty, was taken up for consideration.

Senator Lind offered amendment S—3473 filed by him on March 25, 1985, to page 1 and to the title page of the bill.

Senator Drake raised the point of order that amendment S—3473 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3473 out of order.

Senator Holden offered amendment S—3468 filed by him on March 25, 1985, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 29.

Amendment S—3468 lost.

Senator Coleman offered amendment S—3496 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3496 was adopted by a voice vote.

Senator Doyle asked and received unanimous consent that action on amendment S—3447 be deferred for consideration of amendment S—3451.

Senator Coleman offered amendment S—3451 filed by him on March 22, 1985, to page 3 and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 30.

Amendment S—3451 lost.

Senator Doyle offered amendment S—3447 filed by Senators Doyle, et al., on March 22, 1985, to page 3 of the bill, previously deferred, and moved its adoption.

Amendment S—3447 was adopted by a voice vote.

Senator Holden offered amendment S—3503 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3503 lost by a voice vote.

Senator Husak asked and received unanimous consent that further action on **Senate File 499** be deferred.

BUSINESS PENDING

Senate File 438

The Senate resumed consideration of Senate File 438 and amendment S—3476, previously deferred.

Senator Wells moved the adoption of amendment S—3476 to pages 1 and 2 of the bill, which motion prevailed by a voice vote.

Senator Waldstein withdrew amendment S—3498 filed by him from the floor to page 1 of the bill.

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. 438) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 6:

Corning	Gentleman	Goodwin	Holden
Lind	Miller, C.P.		

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

Senator Brown took the chair at 5:00 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 515

On motion of Senator Mann, Senate File 515, a bill for an act relating to the election to become a senior judge, was taken up for consideration.

Senator Mann offered amendment S—3507 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3507 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. 515) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery

Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

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 Hutchins asked and received unanimous consent to take up out of order Senate File 14.

Senate File 14

On motion of Senator Dieleman, Senate File 14, a bill for an act relating to the training and racing of dogs that have been trained with the use of live animals in the course of the training and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman offered amendment S—3427 filed by him on March 20, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3427 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?" (S.F. 14) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman

Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readerger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

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 Hutchins asked and received unanimous consent to take up for consideration Senate File 309.

Senate File 309

On motion of Senator Rodgers, Senate File 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 5:20 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. 309) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Gratias	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.

Miller, C.P.	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Carr	Murphy
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Absent or not voting, 3:

Holden	Lind	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.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 19

Senator Gettings called up for consideration Senate Concurrent Resolution 19, a resolution relating to the National Railroad Passenger Corporation, amended by the House, and moved that the Senate concur in House amendment S—3478 filed March 25, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gettings moved that the resolution as amended by the House and concurred in by the Senate be adopted, which motion prevailed by a voice vote and the resolution was adopted.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 492** be referred from the Regular Calendar to the committee on **Education**.

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, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 401, a bill for an act to require suspension of motor vehicle licenses for nonpayment of motor vehicle related fines, court costs or surcharges.

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

House File 413, a bill for an act relating to reparations for medical care and counseling under chapter 912 for victims of domestic abuse and sexual assault and for child victims.

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

House File 526, a bill for an act relating to interpreters for certain hearing impaired persons.

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

House File 640, a bill for an act relating to the computation of interest penalties on delinquent property taxes.

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

House File 649, a bill for an act relating to water wells by providing for regulation of water wells and the registration of water well contractors.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 32, by Committee on State Government, a resolution to encourage the establishment of the United States Institute of Peace in Iowa.

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

INTRODUCTION OF BILLS

Senate File 552, by Committee on Appropriations, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Read first time and placed on Appropriations calendar.

Senate File 553, by Committee on State Government, a bill for an act to authorize the legislative service bureau to provide legal opinions to legislators upon their request.

Read first time and placed on calendar.

Senate File 554, by Committee on State Government, a bill for an act creating state park advisory committees, providing for the election of members, and specifying their duties.

Read first time and placed on calendar.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Hull Western Christian Indians and Coach Jim Eekhoff — First Place Finish, Class 2-A, 1985 State Boys' Basketball Tournament. Senators Ritsema and Vande Hoef (March 25, 1985).

Hull Western Christian Student Body — Sportsmanship Award, 1985 State Boys' Basketball Tournament. Senators Ritsema and Vande Hoef (March 25, 1985).

Sioux Center Warriors and Coach Bob Van Es — Third Place Finish, Class 1-A, 1985 State Boys' Basketball Tournament. Senator Ritsema (March 25, 1985).

Grundy Center Spartans and Coach Lowell Monke — Runner-Up, Class 1-A, 1985 Boys' State Basketball Tournament. Senator Jensen (March 25, 1985).

Nashua High School Boys' Basketball Team — Class 1-A, 1985 State Boys' Basketball Tournament Champions. Senator Gratias (March 22, 1985).

Carroll Kuemper Knights and Coach Wayne Chandler — First Place, Class 3-A, 1985 Boys' State Basketball Tournament. Senator Hutchins (March 25, 1985).

Carroll Kuemper Student Body — Sportsmanship Award, Class 3-A, 1985 Boys' State Basketball Tournament. Senator Hutchins (March 25, 1985).

NOTICE OF HEARING

Barbara Binnie, appointed by the Governor to the Board of Parole, will appear before the subcommittee of the committee on Judiciary on April 1, 1985, at 9:00 a.m.

COMMITTEE ON JUDICIARY
TOM MANN, JR., Chair

REPORTS OF STANDING COMMITTEES

(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Labor and Industrial Relations assigned to investigate the reappointment of Allen J. Meier as Labor Commissioner, completed its investigation on March 26, 1985, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the Committee on Transportation assigned to investigate the appointment of Douglas K. Shull as a member of the State Transportation Commission, completed its investigation on March 26, 1985, and recommended the appointment be confirmed.

REPORTS OF STANDING COMMITTEES (Place nominees on Individual Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the reappointment of Norman L. Pawlewski as Commissioner of Public Health, completed its investigation on March 26, 1985, and made no recommendation.

Pursuant to Senate Rule 60, the Committee on Transportation assigned to investigate the appointment of David L. Clemens as a member of the State Transportation Commission, completed its investigation on March 26, 1985, and made no recommendation.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: March 19, 1985, 2:50 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, C. Miller, Dieleman, Gettings, Colton, Husak, Holt, Ritsema, Gentleman, Readinger, Schwengels and Lind.

Members Absent: Deluhery, Gronstal and Murphy.

Committee Business: Approved LSB 2820S as a committee bill; appointed a subcommittee to investigate Governor's appointees.

Recessed: 3:20 p.m.

Reconvened: March 25, 1985, 5:10 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Small, Vice Chair and Schwengels.

Committee Business: Approved LSB 1638S as a committee bill; moved without recommendation the appointment of Governor's appointee Jacklyn K. Van Ekeren as a member of the State Board of Regents to the Individual Confirmation Calendar.

Adjourned: 5:20 p.m.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 2: Small and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 398, a bill for an act relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Wells, Bruner, Carr, Gentleman, Vande Hoef, C. Miller, Murphy, Taylor, Hannon and Gratias. Nays, 1: Readinger. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 505, a bill for an act relating to an annual review of local human service programs by the county board of social welfare.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 553 (SSB 365), a bill for an act to authorize the legislative service bureau to provide legal opinions to legislators upon their request.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Carr, Dieleman, Nystrom, Bruner, Drake, Horn, Rife and Welsh. Nays, 3: Corning, Gentleman and Mann. Absent or not voting, 3: Coleman, C. Miller and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 554 (SSB 352), a bill for an act creating state park advisory committees, providing for the election of members, and specifying their duties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Corning, Drake, Gentleman, Horn, Mann, Rife and Welsh. Nays, none. Absent or not voting, 3: C. Miller, Schwengels and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 32 (SSB 349), a concurrent resolution to encourage the establishment of the United States Institute of Peace in Iowa.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Corning, Drake, Gentleman, Horn, Mann, Rife and Welsh. Nays, none. Absent or not voting, 3: C. Miller, Schwengels and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 418, a bill for an act requiring the state department of transportation to accept payment by check of proportional registration fees.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 539, a bill for an act relating to the jurisdiction and control of the great river road.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 2: Doyle and Nystrom.

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.	360	Local Government
H.F.	366	Transportation
H.F.	497	Natural Resources
H.F.	571	Appropriations
H.F.	626	Natural Resources
H.F.	641	Judiciary
H.F.	645	Local Government
H.F.	646	Local Government
H.F.	647	Energy & Environment
H.F.	660	State Government

AMENDMENTS FILED

S-3497	S.F.	447	Joe J. Welsh
S-3498	S.F.	438	Arne Waldstein
S-3499	S.F.	517	Douglas Ritsema
S-3500	S.F.	479	James D. Wells
S-3501	S.F.	474	Donald V. Doyle
S-3502	S.F.	84	Tom Mann, Jr.
S-3503	S.F.	499	Edgar H. Holden
S-3504	S.F.	447	Edgar H. Holden Hurley W. Hall

S—3505	S. F.	450	Calvin O. Hultman
S—3506	S. F.	343	Tom Mann, Jr.
S—3507	S. F.	515	Tom Mann, Jr.
S—3508	S. F.	450	Richard Vande Hoef
S—3509	H. F.	696	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:29 p.m., until 9:00 a.m., Wednesday, March 27, 1985.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 27, 1985

The Senate met in regular session at 9:09 a.m., President Anderson presiding.

Prayer was offered by Father Anthony Aiello, pastor of the Christ the King Catholic Church, Des Moines, Iowa.

The Journal of Tuesday, March 26, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels 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 26, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 537, a bill for an act relating to special elections to fill vacancies in city councils.

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

House File 593, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

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

House File 644, a bill for an act to provide space on the driver's license to indicate the driver's blood type.

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

House File 686, a bill for an act relating to plans and programs for educational development in Iowa.

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

House File 688, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor.

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

House File 692, a bill for an act relating to the Iowa dairy industry commission.

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

House File 700, a bill for an act relating to the endangering of certain persons and providing penalties.

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

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate Files 548 and 549** be referred from the Regular Calendar to the committee on **Ways and Means** and returned to the calendar by 5:30 p.m., April 1, 1985.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the morning on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 532.

Senate File 532

On motion of Senator Priebe, Senate File 532, a bill for an act relating to the adoption of rules for the control of bovine brucellosis, 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. 532) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Rife	Ritsema	Rodgers	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 5:

Mann	Readinger	Schwengels	Soorholtz
Welsh			

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

UNFINISHED BUSINESS (Deferred March 18, 1985)

Senate File 133

The Senate resumed consideration of Senate File 133, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts, deferred March 18, 1985.

Senator Priebe offered amendment S—8246 filed by the committee on Agriculture on March 8, 1985, to page 1 of the bill.

Senator Priebe asked and received unanimous consent that further action on amendment S—3246 be deferred.

Senator Hultman asked and received unanimous consent that **House File 231** be substituted for **Senate File 133**.

Senator Hultman asked and received unanimous consent that further action on **House File 231** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 25, 1985)

Senate Concurrent Resolution 30

The Senate resumed consideration of Senate Concurrent Resolution 30, a resolution requesting Congress to change federal legislation affecting the sale of agricultural land, deferred on March 25, 1985.

Senator Priebe offered amendment S—3484 filed by Senators Priebe and Holden on March 26, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3484 was adopted by a voice vote.

Senator Priebe moved the adoption of Senate Concurrent Resolution 30 as amended, which motion prevailed by a voice vote and the resolution was adopted.

UNFINISHED BUSINESS
(Deferred March 25, 1985)

Senate File 450

The Senate resumed consideration of Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements, deferred on March 25, 1985.

Senator Hultman asked and received unanimous consent that further action on **Senate File 450** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 26, 1985)

Senate File 433

The Senate resumed consideration of Senate File 433, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date, deferred on March 26, 1985.

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. 433) the vote was:

Ayes, 37:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Tieden
Wells			

Nays, 7:

Boswell	Coleman	Jensen	Neighbour
Soorholtz	Taylor	Vande Hoef	

Absent or not voting, 6:

Drake	Hultman	Mann	Schwengels
Waldstein	Welsh		

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

UNFINISHED BUSINESS
(Deferred March 25, 1985)

Senate File 480

The Senate resumed consideration of Senate File 480, a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication and amendment S—3389, deferred on March 25, 1985.

Senator Brown withdrew amendment S—3389 to page 1 of the bill, deferred on March 25, 1985.

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. 480) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Mann	Schwengels	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.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 509.

Senate File 509

On motion of Senator Hannon, Senate File 509, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon 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. 509) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Mann	Schwengels	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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:55 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 26, 1985, 8:05 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Priebe and Tieden.

Members Absent: Palmer and Nystrom.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:10 a.m.

EDUCATION

Convened: March 26, 1985, 1:37 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned Senate File 536 to a subcommittee.

Adjourned: 2:34 p.m.

HUMAN RESOURCES

Convened: March 26, 1985, 8:10 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Murphy, Hannon, Readinger, Taylor, C. Miller, Vande Hoef and Gratias.

Members Absent: Coleman.

Committee Business: Reported House File 398 to the Senate calendar; assigned bill to a subcommittee; reported without recommendation the appointment of Norman L. Pawlewski as Commissioner of Public Health to the Individual Confirmation Calendar.

Adjourned: 8:26 a.m.

JUDICIARY

Convened: March 26, 1985, 10:45 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Dieleman, Drake, Hester, Holt, Horn, Small, Taylor and Gentleman.

Members Absent: Deluhery.

Committee Business: Assigned bills to subcommittees; reported House File 419 to the Senate calendar.

Adjourned: 11:10 a.m.

LOCAL GOVERNMENT

Convened: March 26, 1985, 10:55 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Vande Hoef and Wells.

Members Absent: Priebe (excused).

Committee Business: Assigned bills to subcommittees; reported House File 505 to the Senate calendar.

Adjourned: 11:20 a.m.

TRANSPORTATION

Convened: March 26, 1985, 1:30 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle (excused and arrived at 1:37 p.m.), Gettings, Goodwin, Jensen, Kinley and A. Miller.

Members Absent: Nystrom.

Committee Business: Assigned a bill to subcommittee; reported without recommendation the appointment of David L. Clemens as a member of the State Transportation Commission to the Individual Confirmation Calendar; reported with recommendation the appointment of Douglas K. Shull as a member of the State Transportation Commission to the En Bloc Confirmation Calendar; reported House Files 539 and 418 to the Senate calendar.

Adjourned: 1:40 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment S—3333 to Senate File 459, the following technical correction was made:

1. Page 1, line 8, "Schelswig" was changed to "Schleswig".

K. MARIE THAYER
Secretary of the Senate

COMMUNICATION FROM THE SECRETARY OF STATE

March 26, 1985

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

Dear Ms. Thayer:

I hereby certify that Senate File 286 was published in The Altoona Herald-Mitchellville Index on March 21, 1985, and in The Bancroft Register on March 20, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

AMENDMENTS FILED

S—3510	S. F.	450	Calvin O. Hultman Berl E. Priebe Dale Tieden
S—3511	S. F.	450	Jack Rife
S—3512	S. F.	450	Edgar H. Holden
S—3513	S. F.	450	Dale L. Tieden
S—3514	S. F.	472	Arthur Gratias
S—3515	S. F.	406	Arne Waldstein Berl E. Priebe

S—3516	S. F.	447	Edgar H. Holden Joe J. Welsh
S—3517	S. F.	447	Edgar H. Holden
S—3518	S. F.	447	Edgar H. Holden
S—3519	S. F.	450	Ray Taylor
S—3520	S. F.	450	Joe J. Welsh Richard F. Drake
S—3521	S. F.	356	Donald V. Doyle
S—3522	S. F.	452	Donald V. Doyle
S—3523	S. F.	441	Donald V. Doyle

AFTERNOON SESSION

The Senate reconvened at 2:33 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 26, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 552, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers.

This bill was 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 45 present, 5 absent and a quorum present.

REQUEST TO PRINT RESOLUTION

Senator Holt asked and received unanimous consent to have the following resolution by him printed in the Senate Journal:

WHEREAS, The Iowa State Patrol was created 50 years ago pursuant to a legislative act and served its first tour of duty on July 28, 1935; and

WHEREAS, The safe, orderly and efficient movement of traffic on our highways has been the primary mission of the Troopers of the Iowa State Patrol since its inception; and

WHEREAS, the dedicated officers of the Iowa State Patrol have consistently worked in a cooperative spirit of loyalty, enthusiasm, and efficiency to provide law enforcement support to other state agencies, local branches of government or any community in need of assistance; and

WHEREAS, The Iowa State Patrol has long been recognized and appreciated for the professional, dedicated and tireless courageous manner in which its officers have worked to provide assistance, protection and safety to the citizens of this great state; and

WHEREAS, It is appropriate to express appreciation and gratitude to the many outstanding men and women of the Iowa State Patrol who are charged with the task of safeguarding the lives, rights, and property of the citizens of this great state;

NOW, THEREFORE, BE IT RESOLVED that all of the citizens of Iowa commend and applaud the Iowa State Patrol for its commitment to duty and a job superbly performed as is illustrated by the Iowa State Patrol motto of "Courtesy, Service and Protection."

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 510** be referred from the Regular Calendar to the committee on **Judiciary** and **Senate File 472** be referred from the Regular Calendar to the committee on **State Government**.

BUSINESS PENDING

Senate File 450

The Senate resumed consideration of **Senate File 450**, previously deferred.

Senator Hultman offered amendment S—3510 filed by Senators Hultman, et al., from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Taylor offered amendment S—3519 filed by him from the floor to amendment S—3510 and moved its adoption.

Amendment S—3519 was adopted by a voice vote.

Senator Coleman took the chair at 3:01 p.m.

Senator Hultman moved the adoption of amendment S—3510 as amended.

A record roll call was requested.

On the question "Shall amendment S—3510 as amended be adopted?" (S.F. 450) the vote was:

Ayes, 21:

Brown	Corning	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Priebe	Readinger
Rife	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 27:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Gronstal	Hannon	Horn
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Ritsema	Rodgers	Small
Soorholtz	Wells	Welsh	

Absent or not voting, 2:

Husak Schwengels

Amendment S—3510 as amended lost.

Senator Rife offered amendment S—3511 filed by him 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 20, nays 26.

Amendment S—3511 lost.

Senator Holden offered amendment S—3512 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 24.

Amendment S—3512 lost.

Senator Hultman offered amendment S—3505 filed by him on March 26, 1985, to page 1 of the bill.

Senator Hultman offered amendment S—3535 filed by him from the floor to amendment S—3505 and moved its adoption.

Amendment S—3535 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—3505 as amended.

A non record roll call was requested.

The ayes were 22, nays 24.

Amendment S—3505 as amended lost.

Senator Welsh offered amendment S—3520 filed by Senators Welsh and Drake from the floor to page 2 of the bill and moved its adoption.

Amendment S—3520 was adopted by a voice vote.

Senator Jensen withdrew amendment S—3536 filed by him from the floor to page 2 of the bill.

Senator Vande Hoef offered amendment S—3508 filed by him on March 26, 1985, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 26.

Amendment S—3508 lost.

Senator Tieden withdrew amendment S—3513 filed by him from the floor to page 2 of the bill.

Senator Gronstal moved that the bill be read the last time now and placed upon 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. 450) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Junkins

Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Ritsema	Rodgers
Soorholtz	Tieden	Welsh	

Nays, 14:

Goodwin	Gratias	Hall	Holden
Holt	Hultman	Jensen	Nystrom
Rife	Small	Taylor	Vande Hoef
Waldstein	Wells		

Absent or not voting, 1:

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 26, 1985)

Senate File 499

The Senate resumed consideration of Senate File 499, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty, deferred on March 26, 1985.

Senator Husak offered amendment S—3537 filed by Senators Husak, et al., from the floor to pages 2, 3 and to the title page of the bill.

President pro tempore Rodgers took the chair at 3:47 p.m.

Senator Husak moved the adoption of amendment S—3537.

A record roll call was requested.

On the question "Shall amendment S—3537 be adopted?" (S.F. 499) the vote was:

Ayes, 19:

Coleman	Colton	Doyle	Gentleman
Gettings	Gratias	Holden	Horn
Husak	Hutchins	Lind	Mann
Miller, A.V.	Miller, C.P.	Priebe	Ritsema
Taylor	Tieden	Vande Hoef	

Nays, 29:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Drake
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Jensen	Junkins
Kinley	Murphy	Neighbour	Nystrom
Palmer	Readinger	Rife	Rodgers
Small	Soorholtz	Waldstein	Wells
Welsh			

Absent or not voting, 2:

Hultman Schwengels

Amendment S—3537 lost.

Senator Brown took the chair at 4:27 p.m.

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. 499) the vote was:

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

Ayes, 26:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Drake
Goodwin	Hall	Hannon	Hester
Holt	Jensen	Junkins	Kinley
Miller, A.V.	Murphy	Neighbour	Nystrom
Priebe	Readinger	Rodgers	Small
Waldstein	Wells		

Nays, 23:

Carr	Coleman	Doyle	Gentleman
Gettings	Gratias	Gronstal	Holden
Horn	Hultman	Husak	Hutchins
Lind	Mann	Miller, C.P.	Palmer
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Absent or not voting, 1:

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 26, 1985)

Senate File 447

The Senate resumed consideration of Senate File 447, a bill for an act to license operators of radiation emitting equipment and amendment S—3319 as amended, deferred on March 26, 1985.

Senator Welsh asked and received unanimous consent to take up the following motion to reconsider:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3428 to amendment S—3319 to Senate File 447 was adopted by the Senate on March 26, 1985.

The motion prevailed by a voice vote and amendment S—3428 by Senators Holden, et al., to pages 1 through 6 of amendment S—3319, was taken up for reconsideration.

Senator Welsh asked and received unanimous consent that further action on amendment S—3428 be deferred.

Senator Holden offered amendment S—3516 filed by Senators Holden and Welsh from the floor to pages 1 through 6 of amendment S—3319 and moved its adoption.

Amendment S—3516 was adopted by a voice vote.

With the adoption of amendment S—3516 to amendment S—3319, the Chair ruled the following amendments to amendment S—3319 out of order:

S—3428 to pages 1 through 6, previously deferred.

S—3497 filed by Senator Welsh on March 26, 1985, to page 2.

S—3504 filed by Senators Holden and Hall on March 26, 1985, to page 4.

S—3518 filed by Senator Holden from the floor to pages 5 and 6.

Senator Holden offered amendment S—3517 filed by him from the floor to page 5 of amendment S—3319 and moved its adoption.

Amendment S—3517 was adopted by a voice vote.

Senator Carr moved the adoption of amendment S—3319 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3319 as amended, the Chair ruled the following amendments out of order:

S—3489 filed by Senators Holden, et al., on March 26, 1985, to strike everything after the enacting clause of the bill.

S—3431 filed by Senator Holden on March 20, 1985, to page 4 of the bill.

S—3434 filed by Senator Hester on March 21, 1985, to page 6 of the bill.

S—3487 filed by Senator Hester on March 26, 1985, to amendment S—3434.

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. 447) the vote was:

Ayes, 28:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gronstal
Hannon	Horn	Husak	Hutchins
Junkins	Kinley	Lind	Mann

Miller, A.V.
Rodgers

Murphy
Small

Palmer
Wells

Rife
Welsh

Nays, 20:

Boswell
Hall
Hultman
Priebe
Taylor

Corning
Hester
Jensen
Readinger
Tieden

Gentleman
Holden
Miller, C.P.
Ritsema
Vande Hoef

Gratias
Holt
Neighbour
Soorholtz
Waldstein

Absent or not voting, 2:

Nystrom

Schwengels

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 for consideration Senate File 448.

Senate File 448

On motion of Senator Kinley, Senate File 448, a bill for an act relating to residential gas and electric customers who may be eligible for the prohibition against disconnection of service from November 1 to April 1, with retroactive application to April 1, 1985, with report of committee on Energy and Environment, recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S-3461 filed by the committee on Energy and Environment on March 22, 1985, to pages 1 and 2 of the bill.

Senator Hutchins asked and received unanimous consent that further action on Senate File 448 and amendment S-3461 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, 1985, passed as amended with H-3451 the following bill in which the concurrence of the Senate is asked:

House File 569, a bill for an act relating to the administration of special land use districts.

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

ALSO: That the House has on March 26, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 631, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements.

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

ALSO: That the House has on March 27, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties.

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

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 27, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 90 — To prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

Senate File 149 — Relating to the acceptance of the federal rehabilitation acts.

Senate File 215 — Requiring a free and appropriate public education for children requiring special education.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	181	Judiciary
H.F.	204	Judiciary
H.F.	268	Judiciary
H.F.	359	Labor
H.F.	401	Transportation
H.F.	413	Human Resources
H.F.	422	State Government
H.F.	523	Local Government
H.F.	526	Judiciary
H.F.	639	Education
H.F.	640	Local Government
H.F.	649	Energy & Environment
H.F.	664	Judiciary
H.F.	686	Education

COMMITTEE REPORTS

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 66, 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: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3540.

Final Vote: Ayes, 10: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Rodgers and Tieden. Nays, none. Absent or not voting, 2: Neighbour and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 319, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, C. Miller, Rife and Welsh. Nays, none. Absent or not voting, 2: Mann and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 548, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 549, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in the Iowa venture capital fund and the earnings on the proceeds prior to investment to be used as prizes.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratiias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SENATE STUDY BILLS

SSB 372 Ways and Means

Relating to taxation for the use of motor vehicles in the state by increasing the rate of tax on motor fuel and special fuel, by crediting a portion of the revenue from motor fuel and special fuel taxes to the RISE fund for use in road and street projects which promote economic development in the state, by providing for a one cent per gallon reduction in the excise tax rate on gasohol contingent upon certain circumstances, and by providing an exemption from the use tax for certain vehicles registered under chapter 326 and making penalties applicable.

SSB 373 Ways and Means

Relating to the creating of an agriculture and small business operating loan guarantee program by the Iowa housing finance authority to guarantee a portion of operating loans made to farmers and small business, by providing for the issuance of bonds for the program, providing for an increase in the tax on cigarettes and little cigars, imposing an inventory tax on cigarettes, little cigars, unused tax stamps and metered imprints, providing that the net proceeds from the tax on cigarettes and tobacco products be used to pay the principal and interest on the bonds issued for the program, and providing for effective dates.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

North American Review, Cedar Falls, Iowa — In honor of their 170th anniversary for literary contribution to the State of Iowa. Senator Welsh (March 12, 1985).

Robley Wilson, Jr., Editor, and Charlotte Wilson, Business Manager, North American Review — In honor of their 170th anniversary for literary contribution to the State of Iowa. Senator Welsh (March 12, 1985).

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 499 passed the Senate on March 27, 1985.

BERL E. PRIEBE

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-four students from Aurelia High School, Aurelia, Iowa, accompanied by Cindy Goodwin and Garry DeWall. Senator Vande Hoef.

AMENDMENTS FILED

S-3524	S. F.	406	John A. Neighbour
S-3525	S. F.	394	Edgar H. Holden
S-3526	S. F.	84	Michael Gronstal
S-3527	S. F.	394	Edgar H. Holden
S-3528	S. F.	394	Edgar H. Holden
S-3529	S. F.	442	Charles H. Bruner
			Richard Vande Hoef
S-3530	S. F.	553	Richard Vande Hoef
S-3531	S. F.	539	Edgar H. Holden
S-3532	H. F.	255	Edgar H. Holden
S-3533	S. F.	516	William W. Dieleman
S-3534	S. F.	461	Julia Gentleman
			Ray Taylor
			David Readinger
S-3535	S. F.	450	Calvin O. Hultman
S-3536	S. F.	450	John W. Jensen
S-3537	S. F.	499	Emil J. Husak
			Edgar H. Holden
			Arthur L. Gratias

S—3538	S. F.	538	Alvin V. Miller
S—3539	S. F.	513	Ray Taylor
S—3540	H. F.	66	Natural Resources
S—3541	S. F.	394	Charles H. Bruner
S—3542	S. F.	406	Arne Waldstein Berl E. Priebe
S—3543	S. F.	462	Bill Hutchins
S—3544	S. F.	522	Beverly Hannon

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Thursday, March 28, 1985.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 28, 1985

The Senate met in regular session at 9:06 a.m., President pro tempore Rodgers presiding.

Prayer was offered by the Reverend Harris Hostager, pastor of Our Savior's Lutheran Church, Audubon, Iowa.

The Journal of Wednesday, March 27, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the day on request of Senator Hultman.

BILL REFERRED TO COMMITTEE

Senator Miller of Cerro Gordo asked and received unanimous consent that **Senate File 522** be referred from the Regular Calendar to the committee on **Local Government**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate Files 406, 512, 513 and 442.

Senate File 406

On motion of Senator Neighbour, Senate File 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty, with report of committee on Agriculture recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S-3444 filed by the committee on Agriculture on March 21, 1985, to pages 1 and 2 of the bill.

Senator Waldstein offered amendment S—3542 filed by Senators Waldstein and Priebe on March 27, 1985, to amendment S—3444 and moved its adoption.

Amendment S—3542 was adopted by a voice vote.

Senator Priebe moved the adoption of amendment S—3444 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3444 as amended, the Chair ruled amendment S—3515 filed by Senators Waldstein and Priebe on March 27, 1985, to pages 1 and 2 of the bill, out of order.

Senator Neighbour offered amendment S—3524 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3524 was adopted by a voice vote.

Senator Neighbour moved that the bill be read the last time now and placed upon 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. 406) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Gettings

Absent or not voting, 1:

Schwengels

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

Senate File 512

On motion of Senator Gratias, Senate File 512, a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel, was taken up for consideration.

Senator Gratias asked and received unanimous consent that House File 625 be substituted for Senate File 512.

Senate File 513

On motion of Senator Taylor, Senate File 513, a bill for an act relating to the use of vehicles used as school buses for fifteen or fewer pupils, was taken up for consideration.

Senator Taylor offered amendment S—3539 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—3539 lost.

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. 513) the vote was:

Ayes, 42:

Boswell	Brown,	Bruner	Carr
Coleman	Colton	Doyle	Drake
Gentleman	Gettings	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 6:

Corning
Ritsema

Dieleman
Small

Goodwin

Gratias

Absent or not voting, 2:

Deluhery

Schwengels

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 Murphy, Senate File 442, a bill for an act requiring school bus drivers to be at least eighteen years of age, with report of committee on Transportation recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3471 filed by him on March 25, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 36, nays 8.

Amendment S—3471 was adopted.

Senator Vande Hoef offered amendment S—3529 filed by him on March 27, 1985, 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 28, nays 20.

Amendment S—3529 was adopted.

Senator Murphy moved that the bill be read the last time now and placed upon 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:

Boswell
Coleman

Brown
Colton

Bruner
Corning

Carr
Deluhery

Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rife	Rodgers
Small	Soorholtz	Tieden	Vande Hoef
Waldstein			

Nays, 7:

Gratias	Holden	Holt	Readinger
Ritsema	Taylor	Welsh	

Absent or not voting, 2:

Schwengels	Wells
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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 Hutchins asked and received unanimous consent to take up out of order Senate Files 525 and 530.

Senate File 525

On motion of Senator Drake, Senate File 525, a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice, was taken up for consideration.

Senator Brown took the chair at 10:15 a.m.

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. 525) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden

Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Schwengels

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

Senate File 530

On motion of Senator Doyle, Senate File 530, a bill for an act relating to the parole of persons convicted for the offenses of sexual abuse and lascivious acts with a child, 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. 530) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Schwengels

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 Palmer called up the motion to reconsider House File 225 filed by him on March 22, 1985, found on page 994 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 225) the vote was:

Ayes, 31:

Boswell	Brown	Carr	Coleman
Corning	Deluhery	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Holt	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A. V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Waldstein	Welsh	

Nays, 18:

Bruner	Colton	Dieleman	Doyle
Hall	Hannon	Hester	Holden
Horn	Kinley	Miller, C.P.	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Wells		

Absent or not voting, 1:

Schwengels

The motion prevailed.

The Chair ruled the motion to reconsider filed by Senator Bruner on March 22, 1985, and found on page 994 of the Senate Journal, out of order.

House File 225

House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, was taken up for reconsideration.

The Chair stated that the Senate will now vote on House File 225 as amended.

On the question "Shall the bill pass?" (H.F. 225) the vote was:

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

Ayes, 27:

Boswell	Brown	Carr	Coleman
Corning	Deluhery	Gentleman	Gettings
Gratias	Gronstal	Holt	Hultman
Husak	Hutchins	Junkins	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Waldstein	Welsh	

Nays, 22:

Bruner	Colton	Dieleman	Doyle
Drake	Goodwin	Hall	Hannon
Hester	Holden	Horn	Jensen
Kinley	Miller, C.P.	Neighbour	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Wells		

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was previously agreed to on March 22, 1985.

Senator Ritsema raised the point of order that House File 225 was not moved for final passage.

The Chair ruled the point not well taken.

Senator Junkins asked, and received unanimous consent that House File 225 be immediately messaged to the House.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 332

Senator Priebe withdrew the motion to reconsider Senate File 332, a bill for an act relating to the providing of certain tax incentives to an industry which creates new jobs within the state, filed by him on February 28, 1985, and found on page 536 of the Senate Journal.

Senator Hultman withdrew the motion to reconsider Senate File 332, filed by him on February 28, 1985, and found on page 535 of the Senate Journal.

Senator Junkins withdrew the motion to reconsider Senate File 332, filed by him on February 28, 1985, and found on page 534 of the Senate Journal.

Senate File 395

Senator Junkins withdrew the motion to reconsider Senate File 395, a bill for an act relating to state and local revenues by

providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdiction for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, filed by him on March 7, 1985, and found on page 668 of the Senate Journal.

Amendment S—3345 filed by Senator Goodwin on March 18, 1985, to page 50 of the bill, was out of order.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that Senate Files 332 and 395 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, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 652, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts.

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

House File 713, a bill for an act relating to educational leave and educational assistance for state employees.

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

INTRODUCTION OF BILLS

Senate File 555, by Committee on Ways and Means, 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 placed on Ways and Means calendar.

Senate File 556, by Committee on Ways and Means, a bill for an act relating to the definitions of "retail sale" and "sale at retail" for purposes of the state sales, services and use tax by excluding from the definitions the sale of livestock or domesticated fowl for breeding purposes, the sale of certain materials used in disease, weed and insect control or health promotion of plants or livestock produced as part of agricultural production for market, and the sale of motor vehicle fuel consumed in self-propelled implements of husbandry engaged in agricultural production.

Read first time and placed on Ways and Means calendar.

Senate File 557, by Committee on Ways and Means, a bill for an act relating to the filing of claims for the homestead credit.

Read first time and placed on Ways and Means calendar.

Senate File 558, by Committee on Ways and Means, a bill for an act exempting the rental of mobile or manufactured housing from the sales, services, and use tax.

Read first time and placed on Ways and Means calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 11:25 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES

Convened: March 27, 1985, 8:00 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Rodgers and Tieden.

Members Absent: Schwengels, Ranking Member, and Neighbour (both excused).

Committee Business: Assigned bills to subcommittees; reported House File 66 as amended to the Senate calendar; recommended confirmation of Governor's appointees.

Adjourned: 8:26 a.m.

STATE GOVERNMENT

Convened: March 27, 1985, 1:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, C. Miller, Rife and Welsh.

Members Absent: Mann and Schwengels (both excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointments to the En Bloc Confirmation Calendar; reported House File 819 to the Senate calendar.

Adjourned: 1:50 p.m.

WAYS AND MEANS

Convened: March 27, 1985, 10:40 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz.

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees; reported Senate Files 373, 134, 50, 187, 548 and 549 to the Senate calendar; approved SSB 370 as a committee bill.

Adjourned: 11:25 a.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

NATURAL RESOURCES

Pursuant to Senate Rule 60, the Committee on Natural Resources assigned to investigate the reappointment of John D. Field and appointment of Sam Kennedy, III as members of the State Conservation Commission, completed its investigation on March 27, 1985, and recommended the appointees be confirmed.

Pursuant to Senate Rule 60, the Committee on Natural Resources assigned to investigate the appointment of Donna M. Hammitt and the reappointments of Robert W. Schlutz, Allan T. Thoms, Richard L. Timmerman and Keith E. Uhl as members of the Water, Air and Waste Management Commission, completed its investigation on March 27, 1985, and recommended the appointees be confirmed.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 60, the Committee on Small Business and Economic Development assigned to investigate the reappointments of Varel G. Bailey, Donna Keppy, Robert D. Looft and Becky S. Richardson, and the appointments of Clair L. Scott and Ann L. Shodde as members of the Iowa High Technology Council, completed its investigation on March 19 and March 28, 1985, and recommended the appointees be confirmed.

Pursuant to Senate Rule 60, the Committee on Small Business and Economic Development assigned to investigate the appointment of Harry Bookey and the reappointments of Karla J. Fultz and Florine Swanson as members of the Iowa Product Development Corporation, completed its investigation on March 28, 1985, and recommended the appointees be confirmed.

Pursuant to Senate Rule 60, the Committee on Small Business and Economic Development assigned to investigate the appointments of Richard L. Burchett, Doris A. Hansen, Janice M. Johnson and Mary E. Sukup, and the reappointment of Darlene J. Coomes as members of the Small Business Advisory Council, completed its investigation on March 28, 1985, and recommended the appointees be confirmed.

STATE GOVERNMENT

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the appointment of Mildred E. Elliott and the reappointment of Billie

D. Lloyd as members of the Board of Corrections, completed its investigation on March 26, 1985, and recommended the appointees be confirmed.

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the reappointment of Elwin D. Farwell and the appointment of Jean Robb as members of the Campaign Finance Disclosure Commission, completed its investigation on March 26, 1985, and recommended the appointees be confirmed.

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the appointment of Ann Jorgensen as a member of the Iowa Beer and Liquor Control Council; completed its investigation on March 22, 1985, and recommended the appointee be confirmed.

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the reappointment of Elizabeth Ann Colby and the appointments of Betty J. Davis and Max McCord as members of the Iowa Housing Finance Authority, completed its investigation on March 26, 1985, and recommended the appointees be confirmed.

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the reappointments of Margaret N. Keyes and Joseph W. Walt and the appointment of James A. Nepple as members of the State Historical Board, completed its investigation on March 25, 1985, and recommended the appointees be confirmed.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 447 passed the Senate on March 27, 1985.

RICHARD F. DRAKE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 447 passed the Senate on March 27, 1985.

JOE J. WELSH

MR. PRESIDENT: I move to reconsider the vote by which Senate File 442 passed the Senate on March 28, 1985.

RICHARD VANDE HOEF

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 555, 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratiias, Gronstal, Holt, Readinger, Rodgers and Soorholtz. Nays, 1: Holden. Absent or not voting, 1: Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 556 (SSB 370), a bill for an act relating to the definition of "retail sale" and "sale at retail" for purposes of the state sales, services, and use tax by excluding from the definitions the sale of livestock or domesticated fowl for breeding purposes, and by reenacting those definitions so that the definitions do not include for purposes of the tax the sale of materials, other than tools and equipment, used in disease, weed and insect control or health promotion of plants or livestock produced as part of agricultural production for market, the sale of motor vehicle fuel consumed in implements of husbandry engaged in agricultural production, and the sale of fuel used in drying grain.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratiias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 557, a bill for an act relating to the filing of claims for the homestead credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratiias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 558, a bill for an act exempting the rental of mobile or manufactured housing from the sales, services and use tax.

Recommendation: APPROVED COMMITTEE BILL*

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Grattias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS

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

IOWA INDUSTRIAL COMMISSIONER

A copy of the Thirty-sixth Biennial Report of the Iowa Industrial Commissioner for the period July 1, 1982 through June 30, 1984 containing a synopsis of the mission and goals of the agency, summary of legislative changes and summary of receipts and disbursements during the biennial period.

Copies are available from the Secretary's office upon request.

STATEWIDE FAMILY PRACTICE TRAINING PROGRAM

A copy of the Progress Report for the Statewide Family Practice Training Program administered by the College of Medicine Administration at the University of Iowa pursuant to Sec. 148D.5, Code of Iowa.

MIDWEST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE COMMISSION

A copy of the First Annual Report for 1984 for the Midwest Interstate Low-

Level Radioactive Waste Commission pursuant to Chapter 8C, Article III, Code of Iowa.

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 332, the following technical corrections were made to amendment S—3176:

1. Page 1, line 20, "stoerage" was changed to "storage".
2. Page 2, line 28, "comgining" was changed to "combining".
3. Page 2, line 40, "deinfed" was changed to "defined".
4. Page 2, line 42, "incudes" was changed to "includes".
5. Page 2, line 46, "excluces" was changed to "excludes".
6. Page 4, line 6, "Section 20" was changed to "Section 13".
7. Page 4, line 8, "section 20" was changed to "section 13".

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 395, the following technical correction was made:

1. Page 55, line 10, "Section 95" was changed to "Section 96".

K. MARIE THAYER
Secretary of the Senate

PRESENTATION OF VISITORS

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

Five government students from Storm Lake High School, Storm Lake, Iowa. Senator Waldstein.

Forty students from Holmes Junior High School, Cedar Falls, Iowa, accompanied by Dave Andreeson. Senator Corning.

AMENDMENTS FILED

S—3545	S. F.	409	Julia Gentleman William D. Palmer Douglas Ritsema David M. Readinger
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S—3546	S. F.	540	Charles Bruner
S—3547	H.F.	476	Hurley W. Hall
S—3548	S. F.	473	Larry Murphy
			William D. Palmer
S—3549	S. F.	500	Tom Mann, Jr.
S—3550	S. F.	448	Douglas Ritsema
			Donald V. Doyle
			Michael Gronstal

AFTERNOON SESSION

The Senate reconvened at 2:38 p.m., President pro tempore Rodgers presiding.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dieleman for the afternoon on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 531, 537 and 539.

Senate File 531

On motion of Senator Small, Senate File 531, a bill for an act relating to guardianships and conservatorships, 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. 531) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, C.P.

Murphy	Neighbour	Nystrom	Priebe
Readinger	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Dieleman	Hultman	Kinley	Miller, A.V.
Palmer	Rife	Schwengels	Waldstein

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

Senator Brown took the chair at 2:57 p.m.

Senate File 537

On motion of Senator Drake, Senate File 537, a bill for an act to require owners of vehicles subject to proportional registration to make application to the department of transportation for registration and issuance of certificate of title, and providing an effective date, 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. 537) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Lind	Miller, C.P.	Murphy	Neighbour
Lind	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Coleman	Dieleman	Hultman	Kinley
Mann	Miller, A.V.	Palmer	Schwengels

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

Senate File 539

On motion of Senator Husak, Senate File 539, a bill for an act relating to motor vehicle fuel, was taken up for consideration.

Senator Holden offered amendment S—3531 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3531 was adopted by a voice vote.

Senator Husak offered amendment S—3483 filed by him on March 26, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3483 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. 539) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Priebe	Readinger	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Dieleman	Hultman	Kinley	Palmer
Rife	Schwengels	Soorholtz	

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 Coleman for the afternoon on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 546.

Senate File 546

On motion of Senator Gentleman, Senate File 546, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service, was taken up for consideration.

Senator Gentleman offered amendment S—3493 filed by her on March 26, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3493 was adopted by a voice vote.

Senator Gentleman asked and received unanimous consent that House File 130 be substituted for Senate File 546 as amended.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 553.

Senate File 553

On motion of Senator Drake, Senate File 553, a bill for an act to authorize the legislative service bureau to provide legal opinions to legislators upon their request, was taken up for consideration.

Senator Small asked and received unanimous consent that further action on Senate File 553 be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 281.

Senate File 281

On motion of Senator Priebe, Senate File 281, a bill for an act relating to the creation of the Iowa export trading company, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that further action on **Senate File 281** be deferred.

UNFINISHED BUSINESS
(Deferred March 25, 1985)

Senate File 452

On motion of Senator Jensen, Senate File 452, a bill for an act authorizing conversion of certain real property to a mobile home, deferred on March 25, 1985.

Senator Doyle offered amendment S—3522 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3522 was adopted by a voice vote.

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. 452) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Priebe	Readinger	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Wells			

Nays, none.

Absent or not voting, 9:

Coleman
Rife
Welsh

Dieleman
Schwengels

Kinley
Soorholtz

Palmer
Waldstein

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 268

On motion of Senator Murphy, Senate File 268, a bill for an act relating to the establishment of 911 service and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, and including an appropriation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3267 filed by the committee on Appropriations on March 12, 1985, to pages 3, 4 and 6 of the bill and called for a division: lines 2 through 5 and lines 9 through 11 as division S—3267A; lines 6 through 8 as division S—3267B.

Senator Murphy moved the adoption of division S—3267A, which motion prevailed by a voice vote.

With the adoption of division S—3267A, the Chair ruled amendment S—3262 filed by Senators Murphy, et al., on March 11, 1985, to pages 3, 4 and 6 of the bill, out of order.

Senator Deluhery offered amendment S—3318 filed by him on March 14, 1985, to division S—3267B and moved its adoption.

Amendment S—3318 was adopted by a voice vote.

Senator Murphy moved the adoption of division S—3267B as amended, which motion prevailed by a voice vote.

With the adoption of division S—3267B as amended, the Chair ruled amendment S—3409 filed by Senator Deluhery on March 20, 1985, to page 4 of the bill, out of order.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 268) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hah	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Junkins	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Priebe	Readinger
Ritsema	Rodgers	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Coleman	Dieleman	Holt	Jensen
Kinley	Palmer	Rife	Schwengels
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 Hutchins asked and received unanimous consent to take up out of order Senate Files 533 and 443.

Senate File 533

On motion of Senator Vande Hoef, Senate File 533, a bill for an act relating to the content requirements of types of milk, and providing an effective date, was taken up for consideration.

Senator Rodgers raised the point of order that Senate File 533 be referred to the committee on Appropriations.

Senator Rodgers withdrew his point of order.

Senator Vande Hoef offered amendment S—3530 filed by him on March 27, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3530 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. 533) the vote was:

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

Ayes, 27:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Doyle
Gettings	Hall	Hannon	Hester
Horn	Husak	Hutchins	Jensen
Junkins	Mann	Miller, A.V.	Murphy
Priebe	Small	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, 17:

Coleman	Drake	Gentleman	Goodwin
Gratias	Gronstal	Holden	Holt
Hultman	Lind	Miller, C.P.	Neighbour
Nystrom	Readinger	Ritsema	Rodgers
Wells			

Absent or not voting, 6:

Dieleman	Kinley	Palmer	Rife
Schwengels	Soorholtz		

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

Senate File 443

On motion of Senator Wells, Senate File 443, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers, was taken up for consideration.

Senator Wells asked and received unanimous consent that House File 552 be substituted for Senate File 443.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked unanimous consent that Senate File 551 be referred from the Regular Calendar to the committee on Appropriations.

Senator Hutchins withdrew his request.

Senator Hutchins asked and received unanimous consent that Senate File 473 be referred from the Regular Calendar to the committee on Appropriations.

**REFUSAL OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)**

Senator Carr called up the appointment of Norman Pawlewski as Commissioner of Public Health, placed on the Individual Confirmation Calendar on March 26, 1985, and found on page 1059 of the Senate Journal.

Senator Readinger asked unanimous consent that the confirmation of Norman Pawlewski be deferred.

Objection was raised by Senator Coleman.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

Senator Readinger withdrew his request for deferral.

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

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

Ayes, 23:

Bruner	Carr	Deluhery	Drake
Goodwin	Gratias	Hester	Holden
Holt	Hultman	Jensen	Junkins
Lind	Miller, C.P.	Nystrom	Priebe
Ritsema	Rodgers	Small	Taylor
Tieden	Vande Hoef	Welsh	

Nays, 21:

Boswell	Brown	Coleman	Colton
Corning	Doyle	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Mann	Miller, A.V.
Murphy	Neighbour	Readinger	Waldstein
Wells			

Absent or not voting, 6:

Dieleman	Kinley	Palmer	Rife
Schwengels	Soorholtz		

The appointee not having received a two-thirds vote, the Chair declared the Senate refused to confirm the appointment of Norman Pawlewski.

REQUEST TO REFER BILL TO COMMITTEE WITHDRAWN

Senator Junkins asked unanimous consent that Senate File 551 be referred from the Regular Calendar to the committee on Appropriations.

Senator Junkins withdrew his request.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	255	Local Government
H.F.	537	Local Government
H.F.	569	Local Government
H.F.	593	Transportation
H.F.	631	Human Resources
H.F.	643	Energy & Environment
H.F.	644	Transportation
H.F.	688	Judiciary
H.F.	692	Agriculture
H.F.	700	Judiciary

SENATE STUDY BILL

SSB 374 Ways and Means

To allow the seller of farmland to a beginning farmer to exclude the income or capital gain if certain conditions are met and providing an effective date.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 686, a bill for an act relating to plans and programs for educational development in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 558, a bill for an act relating to the liabilities of mental health advocates.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Dieleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 532 passed the Senate on March 27, 1985.

JACK RIFE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 539 passed the Senate on March 28, 1985.

C. JOSEPH COLEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 533 passed the Senate on March 28, 1985.

EMIL J. HUSAK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 533 passed the Senate on March 28, 1985.

RICHARD VANDE HOEF

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Norman Pawlewski as Commissioner of Public Health on March 28, 1985.

DAVID M. READINGER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Norman Pawlewski as Commissioner of Public Health on March 28, 1985.

MILO COLTON

PRESENTATION OF VISITORS

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

Forty-four students from North High School, Sioux City, Iowa, accompanied by Larry Twait and John Hejal. Senators Colton and Doyle.

AMENDMENTS FILED

S—3551	S. F.	540	Edgar H. Holden
S—3552	H. F.	686	Joe Brown Ray Taylor
S—3553	H. F.	398	Charles P. Miller
S—3554	S. F.	461	Larry Murphy Charles Bruner Michael E. Gronstal Julia B. Gentleman David M. Readinger
S—3555	H. F.	696	Michael E. Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:32 p.m., until 9:00 a.m., Friday, March 29, 1985.

JOURNAL OF THE SENATE

SEVENTY-FIFTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 29, 1985

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

Prayer was offered by the Reverend Frederick Strickland, pastor of the Corinthians Baptist Church, Des Moines, Iowa.

The Journal of Thursday, March 28, 1985, 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 27, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 150, a bill for an act relating to fees collected by the sheriff.

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

House File 712, a bill for an act regarding the filing of documents for evidencing a thresher's or cornsheller's lien and providing for a penalty.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Schwengels and Nystrom for the day on request of Senator Hultman.

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 551** and companion **House File 616** be referred from the Regular Calendar to committee on **Appropriations**.

Senator Hutchins asked and received unanimous consent that **Senate File 325** be referred from the Regular Calendar to the committee on **Judiciary**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 393, 461 and 497.

Senate File 393

On motion of Senator Waldstein, Senate File 393, a bill for an act relating to the fee for transferring real estate by the county auditor, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein offered amendment S—3453 filed by him on March 22, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3453 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. 393) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden

Vande Hoef

Waldstein

Wells

Welsh

Nays, 1:

Holden

Absent or not voting, 5:

Drake

Jensen

Nystrom

Palmer

Schwengels

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

Senate File 461

On motion of Senator Murphy, Senate File 461, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations, was taken up for consideration.

Senator Tieden asked and received unanimous consent that further action on **Senate File 461** be deferred.

Senate File 497

On motion of Senator Coleman, Senate File 497, a bill for an act prohibiting subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums, with report of committee without recommendation, 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. 497) the vote was:

Ayes, 44:

Boswell

Brown

Bruner

Carr

Coleman

Colton

Corning

Deluhery

Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 1:

Dieleman

Absent or not voting, 5:

Drake	Nystrom	Palmer	Schwengels
Vande Hoef			

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 Files 475 and 524.

Senate File 475

On motion of Senator Mann, Senate File 475, a bill for an act relating to corporate takeovers and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Brown took the chair at 10:05 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. 475) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gratias	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins

Kinley	Mann	Miller, C.P.	Murphy
Neighbour	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Wells	Welsh

Nays, 9:

Corning	Goodwin	Hester	Holden
Holt	Jensen	Lind	Vande Hoef
Waldstein			

Absent or not voting, 5:

Hultman	Miller, A.V.	Nystrom	Palmer
Schwengels			

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

Senate File 524

On motion of Senator Bruner, Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill, 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. 524) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hutchins

Nystrom

Palmer

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 27, 1985)

Senate File 448

The Senate resumed consideration of Senate File 448, a bill for an act relating to residential gas and electric customers who may be eligible for the prohibition against disconnection of service from November 1 to April 1, with retroactive application to April 1, 1985 and amendment S—3461, deferred on March 27, 1985.

Senator Gronstal moved the adoption of amendment S—3461 to pages 1 and 2 of the bill.

A non record roll call was requested.

The ayes were 13, nays 34.

Amendment S—3461 lost.

Senator Gronstal offered amendment S—3480 filed by him on March 28, 1985, to page 2 of the bill.

Senator Ritsema offered amendment S—3550 filed by Senators Ritsema, et al., on March 28, 1985, to amendment S—3480 and moved its adoption.

Amendment S—3550 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3480 as amended, which motion prevailed by a voice vote.

Senator Bruner asked and received unanimous consent that further action on **Senate File 448** be deferred.

Senator Welsh took the chair at 11:25 a.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 191.

Senate File 191

On motion of Senator Coleman, Senate File 191, a bill for an act establishing a central registry of brain-injured persons within the department of human services, 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. 191) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, 3:

Jensen	Lind	Tieden
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Absent or not voting, 3:

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

**REQUEST TO REFER BILL
TO COMMITTEE WITHDRAWN**

Senator Hall asked unanimous consent that Senate File 554 be referred from the Regular Calendar to the committee on Natural Resources.

Senator Hall withdrew his request.

MOTION TO RECONSIDER WITHDRAWN

House File 29

Senator Gentleman withdrew the motion to reconsider House File 29, a bill for an act relating to qualification of nonprofit corporations as guardians, filed by her on March 6, 1985, and found on page 650 of the Senate Journal.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that Senate File 554 be referred from the Regular Calendar to the committee on Natural Resources and returned to the calendar by 12:00 noon, Thursday, April 4, 1985.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 474.

Senate File 474

On motion of Senator Miller of Cerro Gordo, Senate File 474, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility, was taken up for consideration.

Senator Doyle offered amendment S—3501 filed by him on March 26, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3501 was adopted by a voice vote.

Senator Doyle offered amendment S—3482 filed by him on March 26, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3482 was adopted by a voice vote.

Senator Miller of Cerro Gordo asked and received unanimous consent that **House File 618** be substituted for **Senate File 474** as amended.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following appointees listed on the En Bloc Confirmation Calendar:

Board of Landscape Architectural Examiners

Craig D. Ritland and Mark Ackelson, committee recommendations found on page 861 of the Senate Journal.

Iowa Law Enforcement Academy Council

Jacqueline Day and John P. Stark, committee recommendations found on page 861 of the Senate Journal.

State Board of Medical Examiners

John R. Anderson, Norman Rose and Ann O'Neill, committee recommendations found on page 861 of the Senate Journal.

Mental Health and Mental Retardation Commission

Mary Ann Dolan, Arlene D. Steege, Leroy K. Berryhill, Yvonne M. Schildberg and Margaret E. McDonald, committee recommendations found on page 861 of the Senate Journal.

State Board of Dental Examiners

Janice A. Brown, Myron L. Zeigler and Diann Wilder-Tomlinson, committee recommendations found on page 861 of the Senate Journal.

State Board of Engineering and Land Surveying Examiners

Richard A. Marr and Frank L. Pulley, committee recommendations found on page 861 of the Senate Journal.

Board of Examiners for Hearing Aid Dealers

Ann Schultz, committee recommendation found on page 861 of the Senate Journal.

Council on Human Services

Madeline L. Townsend and Sister Mary Augustine Roth, committee recommendations found on page 861 of the Senate Journal.

Industrial Commissioner

Robert C. Landess, committee recommendation found on page 861 of the Senate Journal.

Job Service Advisory Council

Merlin D. Hulse, Thomas H. Chapman, Jr. and William G. Gerhard, committee recommendations found on page 861 of the Senate Journal.

Commission on Judicial Qualifications

Nancy Barcelo and Shirley A. McClain, committee recommendations found on page 861 of the Senate Journal.

Board of Accountancy

Jerry R. Coughlon, Kenneth A. Putzier and Daryl K. Henze, committee recommendations found on page 862 of the Senate Journal.

Board of Architectural Examiners

Richard W. Pattschull and James W. Wilkins, committee recommendations found on page 862 of the Senate Journal.

State Board of Barber Examiners

Donna L. Weiss and C. Philip Robertson, committee recommendations found on page 862 of the Senate Journal.

City Development Board

J.M. Law, committee recommendation found on page 862 of the Senate Journal.

Consumer Advocate

James R. Maret, committee recommendation found on page 862 of the Senate Journal.

State Board of Cosmetology Examiners

Maxine O. Cochran and Betty A. Schindler, committee recommendations found on page 862 of the Senate Journal.

County Finance Committee

Anne M. Pedersen and Beverly A. Anderson, committee recommendations found on page 862 of the Senate Journal.

Credit Union Review Board

Tom N. Sarvis, William G. Sizer and H. Idris Thomas, committee recommendations found on page 862 of the Senate Journal.

Merit Employment Commission

Mary C. Neuhauser and Joan D. Mitchell, committee recommendations found on page 862 of the Senate Journal.

State Board of Mortuary Science Examiners

Jan S. Miller and Eugene J. Siegert, committee recommendations found on page 862 of the Senate Journal.

State Board of Nursing Examiners

Karen R. Sojka and Pamela K. Triolo, committee recommendations found on page 862 of the Senate Journal.

State Board of Examiners for Nursing Home Administrators

Donna Mae Venteicher, Marcia K. Dudden, Rosalie M. Cahill and Lester Beachy, committee recommendations found on page 862 of the Senate Journal.

State Board of Optometry Examiners

James W. Hartzell and Rex W. Hinson, committee recommendations found on page 863 of the Senate Journal.

State Board of Pharmacy Examiners

Jerry M. Hartleip and John F. Rode, committee recommendations found on page 863 of the Senate Journal.

State Board of Physical and Occupational Therapy Examiners

Marcia J. Olsen-Taeger and Mary W. Greenleaf, committee recommendations found on page 863 of the Senate Journal.

State Board of Podiatry Examiners

Edward N. Wiltgen and Margaret Ann Harden, committee recommendations found on page 863 of the Senate Journal.

State Board of Psychology Examiners

Mrs. Phyllis S. Hansell and Abigail Sivan, committee recommendations found on page 863 of the Senate Journal.

State Board of Speech Pathology and Audiology Examiners

Ann Tank and Kathryn A. Kerst, committee recommendations found on page 863 of the Senate Journal.

State Board of Tax Review

James V. Hicks, committee recommendation found on page 863 of the Senate Journal.

State Board of Veterinary Medicine Examiners

James A. Lowe and Elmer A. Grismore, II, committee recommendations found on page 863 of the Senate Journal.

Board of Certification of Waterworks and Waste Waterworks Operators

Vivian Creswick and Gregory M. Johnson, committee recommendations found on page 863 of the Senate Journal.

Superintendent of Banking

Thomas H. Huston, committee recommendation found on page 939 of the Senate Journal.

Iowa State Commerce Commission

Paul Franzenburg, committee recommendation found on page 939 of the Senate Journal.

Criminal and Juvenile Justice Advisory Council

Lorna Mae Burnside, committee recommendation found on page 959 of the Senate Journal.

Iowa State Civil Rights Commission

Marguerite E. Cothorn, Jane Eastin, Karl A. Nelson and John R. Stokes, committee recommendations found on page 959 of the Senate Journal.

State Racing Commission

L.C. Pike and Sally Brown Prickett, committee recommendations found on page 959 of the Senate Journal.

Energy Policy Council

Julio A. Peguero and Suzan F. Stewart, committee recommendations found on page 959 of the Senate Journal.

Labor Commissioner

Allen J. Meier, committee recommendation found on page 1058 of the Senate Journal.

State Transportation Commission

Douglas K. Shull, committee recommendation found on page 1059 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, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Priebe	Readinger

Rife
Taylor
Wells

Ritsema
Tieden
Welsh

Rodgers
Vande Hoef

Soorholtz
Waldstein

Nays, none.

Absent or not voting, 4:

Nystrom

Palmer

Schwengels

Small

The appointees having received a two-thirds vote were 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 March 25, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

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

ALSO: That the House has on March 26, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 703, a bill for an act creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company.

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

ALSO: That the House has on March 28, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 656, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production.

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

House File 670, a bill for an act relating to the termination of a county library district.

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

House File 709, a bill for an act relating to the hazardous chemicals interagency coordinating council.

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

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate File 164**

APPROPRIATIONS: Welsh, Chair; Lind and Gronstal

Senate File 416

WAYS & MEANS: Husak, Chair; Gronstal and Holt

Senate File 419

WAYS & MEANS: Rodgers, Chair; Dieleman and Gratias

Senate File 446

WAYS & MEANS: Bruner, Chair; Brown and Hester

Senate File 454

WAYS & MEANS: Mann, Chair; Gronstal and Soorholtz

Senate File 458

WAYS & MEANS: Dieleman, Chair; Husak and Readinger

Senate File 464

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 469

STATE GOVERNMENT: Nystrom, Chair; Coleman and Horn

Senate File 471

TRANSPORTATION: Nystrom, Chair; Hall and A. Miller

Senate File 478

JUDICIARY: Doyle, Chair; Horn and Holt

Senate File 481

COMMERCE: Kinley, Chair; Palmer and Holden

Senate File 482

HUMAN RESOURCES: Taylor, Chair; Hannon and Murphy

Senate File 483

STATE GOVERNMENT: Bruner, Chair; Coleman and Drake

Senate File 487

COMMERCE: Deluhery, Chair; Gronstal and Nystrom

Senate File 488

STATE GOVERNMENT: Dieleman, Chair; Schwengels and Bruner

Senate File 489

TRANSPORTATION: Hall, Chair; A. Miller and Nystrom

Senate File 495

COMMERCE: Priebe, Chair; Tieden and Jensen

Senate File 496

TRANSPORTATION: Coleman, Chair; Doyle and Gettings

Senate File 506

STATE GOVERNMENT: Coleman, Chair; Drake and Rife

Senate File 507

STATE GOVERNMENT: Mann, Chair; Corning and Gentleman

Senate File 517

COMMERCE: Palmer, Chair; Kinley and Holden

Senate File 520

WAYS & MEANS: Mann, Chair; Rodgers and Holt

Senate File 527

STATE GOVERNMENT: Dieleman, Chair; Carr and Corning

Senate File 528

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 529

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife

Senate File 536

EDUCATION: Colton, Chair; Brown and Corning

House File 49

TRANSPORTATION: Kinley, Chair; Goodwin and A. Miller

House File 181

JUDICIARY: Dieleman, Chair; Deluhery and Drake

House File 204

JUDICIARY: Mann, Chair; Gentleman and Horn

House File 266

NATURAL RESOURCES: Neighbour, Chair; Goodwin and Doyle

House File 268

JUDICIARY: Carr, Chair; Ritsema and Doyle

House File 319

STATE GOVERNMENT: Bruner, Chair; Schwengels and Mann

House File 359

LABOR & INDUSTRIAL RELATIONS: Wells, Chair; Welsh and Rife

House File 379

HUMAN RESOURCES: Hannon, Chair; C. Miller and Gentleman

House File 418

TRANSPORTATION: Drake, Chair; Jensen and Hall

House File 428

NATURAL RESOURCES: Doyle, Chair; Gratias and Husak

House File 454

LOCAL GOVERNMENT: Priebe, Chair; Lind and Waldstein

House File 471

COMMERCE: Deluhery, Chair; Gronstal and Tieden

House File 494

LOCAL GOVERNMENT: Hall, Chair; A. Miller and Vande Hoef

House File 495

JUDICIARY: Horn, Chair; Gentleman and Small

House File 526

JUDICIARY: Small, Chair; Holt and Doyle

House File 531

COMMERCE: Hutchins, Chair; Gronstal and Nystrom

House File 539

TRANSPORTATION: Gettings, Chair; Jensen and Kinley

House File 540

NATURAL RESOURCES: Hester, Chair; Tieden and Rodgers

House File 548

APPROPRIATIONS: Welsh, Chair; Gentleman and Gronstal

House File 549

HUMAN RESOURCES: Bruner, Chair; Wells and Gentleman

House File 550

JUDICIARY: Mann, Chair; Small and Ritsema

House File 553

STATE GOVERNMENT: Drake, Chair; C. Miller and Coleman

House File 558

JUDICIARY: Gentleman, Chair; Dieleman and Small

House File 572

TRANSPORTATION: Kinley, Chair; Doyle and Drake

House File 584

JUDICIARY: Carr, Chair; Doyle and Ritsema

House File 588

JUDICIARY: Mann, Chair; Small and Ritsema

House File 641

JUDICIARY: Horn, Chair; Gentleman and Mann

House File 660

STATE GOVERNMENT: Rife, Chair; Welsh and Coleman

House File 664

JUDICIARY: Drake, Chair; Coleman and Taylor

SSB 300A

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Small, Chair; Rife and Readinger

SSB 348

STATE GOVERNMENT: Mann, Chair; Horn and Rife

SSB 349

STATE GOVERNMENT: Mann, Chair; Horn and Rife

SSB 350

HUMAN RESOURCES: Gentleman, Chair; Hannon and Vande Hoef

SSB 352

STATE GOVERNMENT: Welsh, Chair; Schwengels and Coleman

SSB 353

STATE GOVERNMENT: Carr, Chair; Drake and Mann

SSB 355

STATE GOVERNMENT: Horn, Chair; Mann and Nystrom

SSB 362

STATE GOVERNMENT: Carr, Chair; Nystrom and Welsh

SSB 363

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Small, Chair; Hutchins and Readinger

SSB 364

HUMAN RESOURCES: Hannon, Chair; C. Miller and Vande Hoef

SSB 366

WAYS & MEANS: Readinger, Chair; Gronstal and Hester

SSB 367

WAYS & MEANS: Holden, Chair; Dieleman and Mann

SSB 368

WAYS & MEANS: Gratiyas, Chair; Holt, Dieleman, Husak and Rodgers

SSB 369

WAYS & MEANS: Boswell, Chair; Mann and Readinger

SSB 370

WAYS & MEANS: Bruner, Chair; Rodgers and Readinger

SSB 371

WAYS & MEANS: Palmer, Chair; Bruner and Hester

SSB 372

WAYS & MEANS: Readinger, Chair; Soorholtz, Bruner, Rodgers and Palmer

SSB 373

WAYS & MEANS: Boswell, Chair; Readinger and Dieleman

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 28, 1985, 1:37 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratiyas, Ranking Member; Colton, Corning, Lind, Hannon, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:54 p.m.

JUDICIARY

Convened: March 28, 1985, 11:40 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Dieleman (excused) and Drake.

Committee Business: Assigned bills to subcommittees; reported House File 558 to the Senate calendar.

Adjourned: 11:50 a.m.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	652	Local Government
H.F.	713	State Government

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 475 passed the Senate on March 29, 1985.

JULIA GENTLEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 524 passed the Senate on March 29, 1985.

RICHARD VANDE HOEF

MR. PRESIDENT: I move to reconsider the vote by which Senate File 533 passed the Senate on March 28, 1985.

TOM MANN, JR.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 27, 1985, when the final vote was taken on Senate File 532.

Had I been present, I would have voted "nay" on the bill.

DAVID M. READINGER

PRESENTATION OF VISITORS

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

Forty-nine 4-H members from Jackson, Clayton and Delaware Counties, accompanied by Mr. Banks Doggett. Senators Hall, Tieden and Welsh.

Twenty seniors from Twin Rivers High School, Bode, Iowa, accompanied by Garwin Larson and Gregory Schmidt. Senator Priebe.

The Chair welcomed the Honorable Phil Hill, former member of the House and Senate from Polk County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3556	S. F.	550	Larry Murphy
S—3557	S. F.	461	Hurley Hall
S—3558	S. F.	499	Lowell L. Junkins
S—3559	S. F.	500	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 11:55 a.m., until 10:00 a.m., Monday, April 1, 1985.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 1, 1985

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

Prayer was offered by the Reverend John Pitzen, pastor of the St. Anthanasius Church, Jesup, Iowa.

The Journal of Friday, March 29, 1985, was approved.

COMMUNICATION FROM THE GOVERNOR

March 29, 1985

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 Albert C. Victor, Marion, Linn County, Iowa, for appointment to the Occupational Safety and Health Review Commission pursuant to Section 88.10, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read first time 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 15, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 570, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state.

This bill was read first time and passed on file.

ALSO: That the House has on March 28, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 661, a bill for an act relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

This bill was read first time and passed on file.

House File 682, a bill for an act relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon its publication.

This bill was read first time and passed on file.

House File 684, a bill for an act relating to the economy of the state by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by increasing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, by changing the name of the Iowa housing finance authority, by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes, by requiring that real estate brokers' trust accounts be deposited in interest-bearing accounts and the interest transferred quarterly to the treasurer of state and used by the Iowa housing finance authority to pay commitment costs for programs for first time home buyers, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property, creating a commitment costs fund, creating a title guaranty fund, increasing the real estate transfer tax, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for certain investment powers of state-chartered savings and loan associations and savings banks, by revising the requirements of amendments to a uniform commercial code financing statement, by providing for an alternative nonjudicial voluntary foreclosure

procedure including providing for redemption periods of lienholders under the procedure, permitting the charging of fees incurred under the title guaranty program, requiring the disclosure of the availability of the title guaranty program and making penalties applicable, providing for an effective date, and providing for the repeal of portions of the Act.

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

House File 711, a bill for an act relating to the application for registration and titling of vehicles and providing penalties.

This bill was 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 45 present, 5 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 516, 526 and 540.

Senate File 516

On motion of Senator Doyle, Senate File 516, a bill for an act relating to chemical tests for blood alcohol concentration, was taken up for consideration.

Senator Mann offered amendment S—3492 filed by him on March 26, 1985, to page 1 of the bill.

Senator Doyle raised the point of order that amendment S—3492 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3492 out of order.

Senator Dieleman offered amendment S—3533 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 14.

Amendment S—3533 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. 516) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind	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 File 526

On motion of Senator Gratias, Senate File 526, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction, 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. 526) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Palmer	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 File 540

On motion of Senator Bruner, Senate File 540, a bill for an act relating to the financing of political campaigns and the reporting of that financing, was taken up for consideration.

Senator Bruner offered amendment S—3546 filed by him on March 28, 1985, to pages 1, 3, 4 and 5 of the bill and called for a division:

Division S—3546A; page 1, lines 2 through 49.

Division S—3546B; page 1, line 50 and page 2.

Senator Bruner moved the adoption of division S—3546A, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of division S—3546B and requested a record roll call.

On the question "Shall division S—3546B be adopted?" (S.F. 540) the vote was:

Ayes, 19:

Bruner	Carr	Colton	Deluhery
Gentleman	Gronstal	Hannon	Junkins
Kinley	Mann	Neighbour	Palmer
Priebe	Rife	Rodgers	Small
Soorholtz	Waldstein	Welsh	

Nays, 31:

Boswell	Brown	Coleman	Corning
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Readinger	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef	Wells	

Division S—3546B lost.

Senator Holden offered amendment S—3551 filed by him on March 28, 1985, to pages 1 and 4 of the bill.

Senator Hutchins asked and received unanimous consent that further action on Senate File 540 and amendment S—3551 be deferred.

MOTION TO RECONSIDER ADOPTED (Governor's Appointee)

Senator Readinger called up the motion to reconsider the appointment of Norman Pawlewski as Commissioner of Public Health filed by him on March 28, 1985, found on page 1119 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" the vote was:

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

Ayes, 27:

Bruner	Carr	Deluhery	Dieleman
Drake	Goodwin	Gratias	Hester
Holden	Holt	Hultman	Jensen

Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Taylor	Vande Hoef	

Nays, 23:

Boswell	Brown	Coleman	Colton
Corning	Doyle	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Mann	Murphy
Neighbour	Priebe	Soorholtz	Tieden
Waldstein	Wells	Welsh	

The motion prevailed.

Senator Readinger asked unanimous consent that further action on the confirmation of Norman Pawlewski be deferred by the Senate.

Objection was raised by Senator Welsh.

Senator Readinger moved that the appointment of Norman Pawlewski be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

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

Ayes, 29:

Bruner	Carr	Deluhery	Dieleman
Drake	Goodwin	Gratias	Hester
Holden	Holt	Hultman	Jensen
Junkins	Kinley	Lind	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Taylor	Tieden	Vande Hoef
Welsh			

Nays, 20:

Boswell	Coleman	Colton	Corning
Doyle	Gentleman	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Mann	Miller, A.V.	Murphy
Neighbour	Soorholtz	Waldstein	Wells

Absent or not voting, 1:

Brown

The appointee not having received a two-thirds vote was declared to have **failed to be confirmed** by the Senate.

The Chair ruled the motion to reconsider the vote by which Norman Pawlewski failed to be confirmed by the Senate on March 28, 1985, filed by Senator Colton on March 28, 1985, and found on page 1119 of the Senate Journal, out of order.

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, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 392, a bill for an act related to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies.

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

House File 677, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty.

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

House File 681, a bill for an act relating to the immunization of persons enrolled in nonprofit postsecondary educational institutions.

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

House File 691, a bill for an act relating to the psychological testing of law enforcement officers and candidates.

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

House File 701, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings,

waivers of the right to remain silent, juvenile court delinquency dispositions, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, contents of petitions, the receipt of social investigation reports, and transferring guardianships, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases.

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

RECESS

On motion of Senator Junkins, the Senate recessed at 12:45 p.m., until 3:30 p.m.

APPENDIX

PETITIONS

The following petitions favoring legislation to increase the appropriation to the Iowa State Transit Assistance Fund were presented and placed on file by:

Senator Murphy from one hundred seventy-five residents of Fayette County.

Senator Tieden from forty residents of Allamakee County.

The following petitions were presented and placed on file by:

Senator Drake from ninety-six residents of Muscatine County urging close consideration of the Iowa State Education Association's tax reform program.

Senator Miller of Cerro Gordo from one hundred seventy-nine residents of Cerro Gordo, Winnebago and Worth Counties favoring legislation relating to private instruction received by certain children between the ages of seven and sixteen (Senate File 311).

PRESENTATION OF VISITORS

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

Fourteen students from Assumption School, Granger, Iowa, accompanied by Linda Seese. Senator Rodgers.

Fifty-five students from Northern Elementary School, Knoxville, Iowa, accompanied by Mrs. Nichols, Mrs. Martin and Mrs. Sloan. Senator Dieleman.

AMENDMENTS FILED

S—3561	H.F.	505	Richard Vande Hoef
S—3562	S.F.	457	Wally Horn
S—3563	S.F.	224	Wally Horn
S—3564	S.F.	404	Arne Waldstein
S—3565	H.F.	686	Joe Brown Ray Taylor
S—3566	S.F.	545	Jack Rife Bill Hutchins
S—3567	S.F.	473	Arne Waldstein

AFTERNOON SESSION

The Senate reconvened at 3:38 p.m., President Anderson presiding.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 724, a bill for an act requiring a separate award of real estate taxes, personal property taxes and special assessments to the county treasurer by the compensation commission as damages in condemnation.

This bill was read first time and passed on file.

House File 728, a bill for an act requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, and small businesses.

This bill was read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that Senate File 526 be immediately messaged to the House.

BUSINESS PENDING

Senate File 540

The Senate resumed consideration of Senate File 540 and amendment S—3551, previously deferred.

Senator Holden moved the adoption of amendment S—3551 to pages 1 and 4 of the bill, 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. 540) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Mann
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Lind

Absent or not voting, 2:

Kinley

Taylor

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 Husak asked and received unanimous consent to take up out of order Senate File 463.

Senate File 463

On motion of Senator Gronstal, Senate File 463, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date, was taken up for consideration.

Senator Bruner offered amendment S—3574 filed by Senators Bruner and Gronstal from the floor to strike everything after the enacting clause of the bill.

Senator Bruner asked and received unanimous consent that further action on **Senate File 463** and amendment S—3574 be **deferred**.

MOTION TO RECONSIDER LOST

Senate File 447

Senator Welsh called up the motion to reconsider Senate File 447, a bill for an act to license operators of radiation emitting equipment filed by him on March 28, 1985, found on page 1103 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 447) the vote was:

Ayes, 22:

Boswell	Coleman	Corning	Dieleman
Drake	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hultman	Jensen	Miller, C.P.	Nystrom
Palmer	Ritsema	Soorholtz	Taylor
Vande Hoef	Waldstein		

Nays, 26:

Brown	Bruner	Carr	Colton
Deluhery	Doyle	Gettings	Gronstal

Hannon	Horn	Husak	Junkins
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Priebe	Readinger	Rife
Rodgers	Schwengels	Small	Tieden
Wells	Welsh		

Absent or not voting, 2:

Hutchins	Kinley
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The motion lost.

The Chair ruled the motion to reconsider the vote by which Senate File 447 passed the Senate on March 27, 1985, filed by Senator Drake on March 28, 1985, and found on page 1103 of the Senate Journal, out of order.

Amendment S—3576 to Senate File 447 filed by Senator Holden from the floor to page 5 of the bill, was out of order.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 470.

Senate File 470

On motion of Senator Hannon, Senate File 470, a bill for an act to provide a procedure for the board of directors of a school district to make up school days canceled due to inclement weather, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon 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. 470) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt

Horn	Hultman	Husak	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Corning Tieden

Absent or not voting, 3:

Hutchins Kinley Nystrom

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

Senator Husak asked and received unanimous consent to take up out of order Senate File 543.

Senate File 543

On motion of Senator Palmer, Senate File 543, a bill for an act relating to underinsured and uninsured motorist coverage, was taken up for consideration.

Senator Palmer asked and received unanimous consent that further action on **Senate File 543** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon on request of Senator Hultman.

MOTION TO OVERRIDE GOVERNOR'S VETO

(Senate File 32)

I move that the Senate, on reconsideration, agree to pass Senate File 32, the objections of the Governor to the contrary notwithstanding.

LOWELL L. JUNKINS

MOTION TO OVERRIDE GOVERNOR'S VETO

Senator Junkins called up for consideration the motion to reconsider filed by him on April 1, 1985, on Senate File 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, as vetoed by the Governor on March 22, 1985.

Senator Hester rose on a point of parliamentary inquiry to question if the vote on the motion to reconsider would constitute the vote to override the Governor's veto.

The Chair advised that pursuant to Joint Rule 23, Section 4, the vote on the motion to reconsider would be the vote to override the Governor's veto and a two-thirds vote would be required.

Senator Junkins moved that the Senate, on reconsideration, agree to pass Senate File 32, the objections of the Governor to the contrary notwithstanding.

On the question "Shall the Senate, on reconsideration, pass the bill, the objections of the Governor to the contrary notwithstanding?" (S.F. 32) the vote was:

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

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Rodgers
Wells	Welsh		

Nays, 23:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Kinley	Lind
Miller, C.P.	Readinger	Rife	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 1:

Nystrom

The motion having failed to receive a two-thirds majority was declared to have lost and the Governor's veto was sustained.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 398.

Senate File 398

On motion of Senator Murphy, Senate File 398, a bill for an act relating to school reorganization, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3336 filed by the committee on Education on March 18, 1985, to pages 1, 2 and 3 of the bill and moved its adoption.

Amendment S—3336 was adopted by a voice vote.

With the adoption of amendment S—3336, the Chair ruled amendment S—3315 filed by Senator Murphy on March 14, 1985, to pages 1, 2 and 3 of the bill, out of order.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 398) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rife	Ritsema

Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Hester	Jensen
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Absent or not voting, 2:

Hutchins	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 Husak asked and received unanimous consent to take up out of order Senate File 479.

Senate File 479

On motion of Senator Wells, Senate File 479, a bill for an act relating to a tenant's right to know about hazardous chemicals used or stored at a residential rental property, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wells withdrew amendment S—3500 filed by him on March 26, 1985, to strike everything after the enacting clause and to the title page of the bill.

Senator Bruner offered amendment S—3456 filed by the committee on Energy and Environment on March 22, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3456 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?" (S.F. 479) the vote was:

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

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Rife	Small
Wells	Welsh		

Nays, 22:

Corning	Doyle	Drake	Gentleman
Goodwin	Gratias	Hester	Holden
Holt	Hultman	Jensen	Lind
Priebe	Readinger	Ritsema	Rodgers
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 2:

Hutchins	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 Husak asked and received unanimous consent to take up out of order Senate File 482.

Senate File 482

On motion of Senator Holden, Senate File 482, a bill for an act relating to the use of two-party checks for rent payments of persons receiving aid to dependent children, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3472 filed by him on March 25, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3472 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. 482) the vote was:

Ayes, 39:

Boswell	Brown	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hannon	Holden
Holt	Horn	Husak	Jensen
Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 7:

Bruner	Deluhery	Gronstal	Hester
Mann	Murphy	Neighbour	

Absent or not voting, 4:

Hultman	Hutchins	Nystrom	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.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Concurrent Resolution 32.

Senate Concurrent Resolution 32

On motion of Senator Mann, Senate Concurrent Resolution 32, a resolution to encourage the establishment of the United States Institute of Peace in Iowa, was taken up for consideration.

Senator Mann moved the adoption of Senate Concurrent Resolution 32, which motion prevailed by a voice vote and the resolution was adopted.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

April 1, 1985

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 Warren G. Lawson, Grimes, Polk County, Iowa, for appointment as Adjutant General pursuant to Section 29A.11, 1985 Code of Iowa, for an unexpired term beginning May 1, 1985, 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 RESOLUTION

Senate Concurrent Resolution 33, by Hutchins and Gratiias, a resolution proposing an interim study of the feasibility of establishing an Iowa grain indemnity authority.

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

APPENDIX

SENATE STUDY BILLS

SSB 375 Ways and Means

Relating to when electricity, steam, and other taxable services are sold for processing for purposes of the processing exemption under the state sales, services and use tax.

SSB 376 Education

Relating to the employment of spouses of teachers by a school district and providing an effective date.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3584.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman and Lind. Nays, none. Absent or not voting, 3: Husak, Readinger and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aid, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman and Lind. Nays, none. Absent or not voting, 3: Husak, Readinger and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 553, a bill for an act relating to federal disaster assistance to state and local governments and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller and Rife. Nays, none. Absent or not voting, 2: Schwengels and Welsh.

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.	150	Local Government
H.F.	392	Small Business
H.F.	570	Ways and Means
H.F.	656	Agriculture
H.F.	661	Education
H.F.	670	Local Government
H.F.	677	State Government
H.F.	681	Human Resources
H.F.	682	Education
H.F.	684	Small Business
H.F.	691	Judiciary
H.F.	701	Judiciary
H.F.	703	Commerce
H.F.	709	Energy & Environment
H.F.	711	Transportation
H.F.	712	Agriculture

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 475 passed the Senate on March 29, 1985.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 516 passed the Senate on April 1, 1985.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 516 passed the Senate on April 1, 1985.

DOUG RITSEMA

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the reappointment of Russell H. Watt as a member of the Commission for the Blind, completed its investigation on April 1, 1985, and recommended the appointee be confirmed.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Linn-Mar Girls' Basketball Team and Coach Steve High — 1985 Iowa State Girls' Basketball Tournament "First Five on Five Champions" (March 16, 1985). Senator Hall.

Linn-Mar Girls' Gymnastics Team and Coach Tom Gatto — 1985 State Girls' Gymnastics Team Champions (March 16, 1985). Senator Hall.

AMENDMENTS FILED

S—3568	S. F.	461	Charles Bruner Dale Tieden Larry Murphy
S—3569	S. F.	348	Leonard L. Boswell

S—3570	S. F.	539	Emil J. Husak Berl E. Priebe
S—3571	S. F.	461	Edgar H. Holden
S—3572	S. F.	543	Ray Taylor
S—3573	S. F.	448	Charles Bruner
S—3574	S. F.	463	Charles Bruner Michael Gronstal
S—3575	S. F.	409	Julia Gentleman William D. Palmer Douglas Ritsema David M. Readinger
S—3576	S. F.	447	Edgar H. Holden
S—3577	S. F.	549	Arthur A. Small, Jr.
S—3578	H. F.	571	Jack Rife
S—3579	S. F.	539	C. Joseph Coleman Arne Waldstein
S—3580	S. F.	451	Emil J. Husak Jack Hester Dale Tieden Hurley Hall Larry Murphy
S—3581	S. F.	543	Charles Bruner
S—3582	H. F.	523	Larry Murphy
S—3583	S. F.	550	Larry Murphy
S—3584	S. F.	434	Appropriations

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Tuesday, April 2, 1985.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 2, 1985

The Senate met in regular session at 9:18 a.m., President Anderson presiding.

Prayer was offered by the Reverend Lyle Kuehl, pastor of the First Congregational Church, Creston, Iowa.

The Journal of Monday, April 1, 1985, was approved.

BILLS REFERRED TO COMMITTEE

Senator Brown asked and received unanimous consent that **Senate Files 311 and 403** be referred from the Regular Calendar to the committee on Education.

RECESS

On motion of Senator Junkins, the Senate recessed at 9:30 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 26, 1985, 10:05 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Schwengels (excused).

Committee Business: Discussed appropriations subcommittee report on Business, Trade and Transportation.

Recessed: 10:37 a.m.

Reconvened: April 1, 1985, 1:43 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman and Lind.

Members Absent: Husak, Readinger and Schwengels.

Committee Business: Reported Senate File 434 as amended to the Senate calendar; reported House File 571 to the Senate calendar.

Adjourned: 2:33 p.m.

STATE GOVERNMENT

Convened: April 1, 1985, 2:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh.

Members Absent: Schwengels.

Committee Business: Assigned bills to subcommittees; reported Governor's appointee to En Bloc Confirmation Calendar; reported House File 553 to the Senate calendar.

Adjourned: 2:50 p.m.

COMMITTEE REPORT

COMMERCE

Final Bill Action: HOUSE FILE 484, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3590.

Final Vote: Ayes, 8: Kinley, Deluhery, Gronstal, Holden, Hutchins, Jensen, Priebe and Tieden. Nays, none. Absent or not voting, 2: Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 531, a bill for an act prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Deluhery, Holden, Gronstal, Hutchins, Jensen, Priebe and Tieden. Nays, none. Absent or not voting, 2: Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 482 passed the Senate on April 1, 1985.

C. JOSEPH COLEMAN

AMENDMENTS FILED

S—3585	S. F.	110	Charles Bruner
S—3586	S. F.	500	Emil Husak
			Forrest V. Schwengels
			Bill Hutchins
S—3587	S. F.	503	Norman G. Rodgers
S—3588	H.F.	35	Larry Murphy
S—3589	H.F.	686	Doug Ritsema
S—3590	H.F.	484	Commerce

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Anderson presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 531, a bill for an act relating to guardianships and conservatorships.

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 RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 26.

Senate Concurrent Resolution 26

On motion of Senator Taylor, Senate Concurrent Resolution 26, a resolution to direct the Department of Public Instruction to conduct a study of nonapproved nonpublic schools and home study, was taken up for consideration.

Senator Taylor offered amendment S—3352 filed by him on March 19, 1985, to page 1 of the resolution and moved its adoption.

Amendment S—3352 was adopted by a voice vote.

Senator Taylor offered amendment S—3593 filed by him from the floor to page 2 of the resolution and moved its adoption.

Amendment S—3593 was adopted by a voice vote.

Senator Taylor moved the adoption of Senate Concurrent Resolution 26, which motion prevailed by a voice vote and the resolution was adopted.

UNFINISHED BUSINESS
(Deferred April 1, 1985)

Senate File 463

The Senate resumed consideration of Senate File 463, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date and amendment S—3574, deferred on April 1, 1985.

Senator Gronstal asked and received unanimous consent that further action on Senate File 463 and amendment S—3574 be deferred.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 686.

House File 686

On motion of Senator Brown, House File 686, a bill for an act relating to plans and programs for educational development in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Brown asked and received unanimous consent to withdraw amendment S—3552 filed by Senators Brown and Taylor on March 28, 1985, to pages 1, 2, 4, 5, 6, 7 and 8 of the bill.

Senator Brown offered amendment S—3565 filed by Senators Brown and Taylor on April 1, 1985, to pages 1, 2, 4, 5, 6, 7 and 8 of the bill.

Senator Corning asked and received unanimous consent that further action on **House File 686** and amendment S—3565 be **deferred**.

BUSINESS PENDING

Senate File 463

The Senate resumed consideration of Senate File 463 and amendment S—3574 to strike everything after the enacting clause of the bill, previously deferred.

Senator Gronstal asked and received unanimous consent that further action on **Senate File 463** and amendment S—3574 be **deferred**.

UNFINISHED BUSINESS

(Deferred March 29, 1985)

Senate File 461

The Senate resumed consideration of Senate File 461, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations, deferred on March 29, 1985.

Senator Holden withdrew amendment S—3443 filed by him on March 21, 1985, to pages 1 through 7 and to the title page of the bill.

Senator Holden offered amendment S—3571 filed by him on April 1, 1985, to pages 1 through 7 and to the title page of the bill.

Senator Murphy raised the point of order that amendment S—3571 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3571 in order.

Senator Holden moved the adoption of amendment S—3571.

A non record roll call was requested.

The ayes were 28, nays 22.

Amendment S—3571 was adopted.

With the adoption of amendment S—3571, the Chair ruled the following amendments to the bill out of order:

S—3337 filed by Senator Bruner on March 18, 1985, to page 4.

S—3554 filed by Senators Murphy, et al., on March 28, 1985, to pages 3 through 6.

S—3568 filed by Senators Bruner, et al., on April 1, 1985, to pages 3, 4, 6 and 7.

S—3601 filed by Senator Gentleman from the floor to strike everything after the enacting clause and to the title page.

Senator Murphy asked and received unanimous consent that further action on **Senate File 461** be deferred.

BUSINESS PENDING

Senate File 463

The Senate resumed consideration of Senate File 463 and amendment S—3574, previously deferred.

Senator Hultman asked and received unanimous consent to defer action on amendment S—3597 filed by him from the floor to amendment S—3574.

Senator Rife withdrew amendment S—3598 filed by him from the floor to amendment S—3574.

Senator Coleman took the chair at 3:15 p.m.

Senator Gronstal asked and received unanimous consent that further action on amendment S—3574 be deferred.

Senator Hultman offered amendment S—3600 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Bruner raised the point of order that amendment S—3600 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3600 out of order.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 463** and amendments S—3574 and S—3597 to amendment S—3574 be **deferred**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 499

Senator Priebe withdrew the motion to reconsider Senate File 499, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty, filed by him on March 27, 1985, and found on page 1088 of the Senate Journal.

Amendment S—3558 filed by Senator Junkins on March 29, 1985, to page 2 of Senate File 499, was out of order.

RECESS

On motion of Senator Hutchins, the Senate recessed at 3:35 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:37 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Neighbour for the remainder of the afternoon on request of Senator Junkins.

UNFINISHED BUSINESS (Deferred March 25, 1985)

Senate File 409

The Senate resumed consideration of Senate File 409, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the act effective upon publication and amendment S—3350, deferred on March 25, 1985.

Senator Gentleman asked and received unanimous consent to take up out of order amendment S—3575.

Senator Gentleman offered amendment S—3575 filed by Senators Gentleman, et al., on April 1, 1985, to pages 1, 3 and 4 of the bill and called for a division: lines 18 and 19 as division S—3575A and lines 2 through 17 as division S—3575B.

Senator Gentleman asked and received unanimous consent to withdraw division S—3575A.

Senator Gentleman moved the adoption of division S—3575B, which motion prevailed by a voice vote.

The Chair ruled amendment S—3545 filed by Senators Gentleman, et al., on March 28, 1985, to pages 1, 3 and 4 of the bill, out of order.

The Senate resumed consideration of amendment S—3350 to pages 1 and 4 of the bill, deferred on March 25, 1985.

Senator Welsh called for a division of amendment S—3350: lines 2 through 9 as division S—3350A and lines 10 through 30 as division S—3350B.

Senator Welsh asked and received unanimous consent to withdraw division S—3350A.

Senator Welsh moved the adoption of division S—3350B, which motion prevailed by a voice vote.

Senator Gentleman withdrew amendment S—3460 filed by her on March 22, 1985, to page 2 of the bill.

Senator Junkins offered amendment S—3470 filed by him on March 25, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3470 was adopted by a voice vote.

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. 409) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Gratias	Gronstal	Hall
Hannon	Holden	Horn	Hultman
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Readinger	Rodgers	Schwengels
Small	Soorholtz	Taylor	Wells
Welsh			

Nays, 10:

Goodwin	Hester	Husak	Jensen
Priebe	Rife	Ritaema	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 3:

Holt	Neighbour	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.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 451

On motion of Senator Husak, Senate File 451, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh asked and received unanimous consent to withdraw amendment S—3338 filed by the committee on Appropriations on March 18, 1985, to page 9 of the bill.

Senator Husak offered amendment S—3580 filed by Senators Husak, et al., on April 1, 1985, to pages 1, 4 and 9 of the bill and moved its adoption.

Amendment S—3580 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that House File 476 be substituted for Senate File 451 as amended.

Senator Husak asked and received unanimous consent that further action on House File 476 be deferred.

BUSINESS PENDING

Senate File 463

The Senate resumed consideration of Senate File 463 and amendments S—3574 and S—3597 to S—3574, previously deferred.

Senator Hultman moved the adoption of amendment S—3597 to amendment S—3574.

A non record roll call was requested.

The ayes were 15, nays 30.

Amendment S—3597 lost.

Senator Gronstal moved the adoption of amendment S—3574.

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 26, nays 21.

Amendment S—3574 was adopted.

Senator Priebe raised the point of order that Senate File 463 required a fiscal note.

The Chair ruled the point not well taken.

Senator Gronstal moved that the bill be read the last time now and placed upon 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. 463) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Junkins	Mann	Miller, A. V.	Miller, C.P.
Murphy	Palmer	Ritsema	Rodgers
Small	Tieden	Waldstein	Wells
Welsh			

Nays, 17:

Corning	Drake	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hultman	Jensen	Lind	Priebe
Readinger	Rife	Schwengels	Taylor
Vande Hoef			

Absent or not voting, 4:

Kinley	Neighbour	Nystrom	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.

COMMITTEE REPORT**EDUCATION**

Final Bill Action: SENATE FILE 311, a bill for an act relating to the private instruction received by certain children between the ages of seven and sixteen.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Brown, Horn, Grattias, Corning, Lind and Taylor. Nays, 2: Colton and Hannon. Absent or not voting, 2: Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Brown asked and received unanimous consent that Senate File 311 be referred from the Regular Calendar to the committee on Education.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 463 passed the Senate on April 2, 1985.

ARNE WALDSTEIN

APPENDIX

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the names of Donald E. Snyder, Anita E. Seitsinger, Lee A. Dallager and Flora E. Haker be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

BOB CARR

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 549, a bill for an act relating to domestic abuse counseling; to coordnation of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3592.

Final Vote: Ayes, 7: Wells, Bruner, Hannon, Murphy, C. Miller, Vande Hoef and Gratias. Nays, none. Absent or not voting, 5: Taylor, Carr, Coleman, Gentleman and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 550, a bill for an act making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 3: Coleman, Deluhery and Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 584, a bill for an act relating to information contained on interstate probation and parole compact transfer requests.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Carr, Drake, Gentleman, Hester, Horn, Small and Taylor. Nays, none. Absent or not voting, 4: Coleman, Dieleman, Holt and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 664, a bill for an act relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Gentleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 3: Coleman, Deluhery and Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 400, a bill for an act relating to a violation for failure to yield to or illegally passing a school bus.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3608.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following Governor's appointments to state boards and commissions on the **En Bloc Confirmation Calendar** on April 2, 1985:

Warren G. Lawson — Adjutant General

Albert C. Victor — Occupational Safety and Health Review Commission

LOWELL L. JUNKINS, Chair

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the reappointments of Jacqueline Mayfield and Mark Wolraich as members of the State Foster Care Review Board, completed its investigation on April 2, 1985, and recommended the appointees be confirmed.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	33	Rules & Administration
H. F.	724	Local Government
H. F.	728	Energy & Environment

SENATE STUDY BILLS

SSB 377 Education

A concurrent resolution to exempt Senate File 492 from Joint Rule 20.

SSB 378 Ways and Means

Relating to the exemption from the use tax of certain vehicles subject to registration.

SSB 379 Ways and Means

Relating to drainage improvements by counties and providing for assessing the benefits of the improvements, issuing bonds, and imposing rates for its use, benefit, and connection.

SSB 380 Education

Relating to the collection of sales, services and use taxes by school corporations and school employees, and subjecting violators to a penalty.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3571 to Senate File 461 was adopted by the Senate on April 2, 1985.

MICHAEL E. GRONSTAL

PRESENTATION OF VISITORS

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

Twenty senior students from Newell High School, Newell, Iowa, accompanied by Charles Hogrefe. Senator Waldstein.

AMENDMENTS FILED

S-3591	S. F.	330	Donald V. Doyle
S-3592	H. F.	549	Human Resources
S-3593	S. C. R.	26	Ray Taylor
S-3594	S. F.	462	Beverly A. Hannon
S-3595	S. F.	427	Joy Corning
S-3596	S. F.	535	Arthur A. Small, Jr. Douglas Ritsema
S-3597	S. F.	463	Calvin O. Hultman Forrest V. Schwengels Richard F. Drake
S-3598	S. F.	463	Jack Rife
S-3599	S. F.	533	Norman G. Rodgers Douglas Ritsema
S-3600	S. F.	463	Calvin O. Hultman
S-3601	S. F.	461	Julia B. Gentleman
S-3602	S. F.	552	Charles P. Miller Bob Carr

S-3603	S. F.	533	Joe J. Welsh Norman G. Rodgers Tom Mann, Jr.
S-3604	H.F.	686	Joy Corning Joe Brown Arthur Gratias Ray Taylor Arne Waldstein Milo Colton
S-3605	H.F.	686	Tom Mann, Jr.
S-3606	S. F.	545	Edgar H. Holden
S-3607	S. F.	545	Edgar H. Holden
S-3608	S. F.	400	Transportation
S-3609	H.F.	315	Calvin O. Hultman Thomas A. Lind James D. Wells Berl E. Priebe Richard F. Drake Lee Holt Hurley W. Hall David M. Readinger Richard Vande Hoef
S-3610	H.F.	315	Bob Carr
S-3611	S. F.	552	Joe Welsh Charles P. Miller Richard F. Drake
S-3612	S. F.	110	Arthur A. Small, Jr. Bill Hutchins Richard F. Drake

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Wednesday, April 3, 1985.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 3, 1985

The Senate met in regular session at 9:10 a.m., President pro tempore Rodgers presiding.

Prayer was offered by the Honorable George Kinley, member of the Senate from Polk County, Des Moines, Iowa.

The Journal of Tuesday, April 2, 1985, was approved.

PAGES PRESENTATION

Darci Shell and Sue Suntken, Senate Pages, and Sunday Cline, House Page, appeared in the well of the Senate and presented a check in the amount of \$750.00 to Paula Morlan, Chair of the Food Bank of Iowa, Karen Ford, Executive Director and Patty Funaro, Food Industry Liaison.

The money was a donation by the Senate and House Pages for proceeds received from the annual Pages Ball held March 5, 1985.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 261, a bill for an act relating to the residence of township officers.

ALSO: That the House has on April 1, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment.

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

House File 514, 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.

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

House File 556, a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to ten thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and modifying a requirement that an applicant for a loan shall report other installment loans that the applicant may have.

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

House File 707, a bill for an act relating to the selection of a retirement benefit option under the Iowa public employees' retirement system.

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

House File 736, a bill for an act to include a physician's assistant on the board of medical examiners.

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

House File 744, a bill for an act relating to the publication of legal notices.

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

ALSO: That the House has on April 2, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all

property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates (S-3613).

Senator Coleman took the chair at 9:25 a.m.

MOTION TO RECONSIDER WITHDRAWN

Senate File 524

Senator Vande Hoef withdrew the motion to reconsider Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill, filed by him on March 29, 1985, and found on page 1144 of the Senate Journal.

The Senate stood at ease for the purpose of a party caucus until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

RECESS

On motion of Senator Waldstein, the Senate recessed at 11:15 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 2, 1985, 9:25 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member (arrived 10:00 a.m.); Boswell, Hester, Husak, Hutchins (arrived 9:55 a.m.), Vande Hoef and Waldstein.

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:20 a.m.

COMMERCE

Convened: April 2, 1985, 8:08 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Hutchins, Jensen, Priebe, Tieden and Gronstal (arrived 8:12 a.m.).

Members Absent: Nystrom and Palmer.

Committee Business: Assigned bill to subcommittee; reported House Files 484 and 531 to the Senate calendar.

Adjourned: 8:27 a.m.

EDUCATION

Convened: April 2, 1985, 3:40 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind and Taylor.

Members Absent: Murphy and Wells (excused).

Committee Business: Assigned bills to subcommittees; suspended rules and approved SSB 377 as a committee bill and reported House File 682 and Senate File 311 to the Senate calendar.

Adjourned: 3:55 p.m.

HUMAN RESOURCES

Convened: April 2, 1985, 8:11 a.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Hannon, Murphy, C. Miller, Vande Hoef and Gratias.

Members Absent: Gentleman, Ranking Member; Taylor (excused), Carr, Coleman and Readinger.

Committee Business: Assigned bills to subcommittees; reported House File 549 as amended to the Senate calendar; reported Governor's appointees J. Mayfield and M. Wolraich to the En Bloc Confirmation Calendar.

Adjourned: 8:26 a.m.

JUDICIARY

Convened: April 2, 1985, 10:30 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Coleman, Deluhery and Dieleman.

Committee Business: Assigned bills to subcommittees; reported House Files 550, 584 and 664 to the Senate calendar.

Adjourned: 10:40 a.m.

LOCAL GOVERNMENT

Convened: April 2, 1985, 10:33 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:42 a.m.

TRANSPORTATION

Convened: April 2, 1985, 3:35 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member (arrived 3:47 p.m.); Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller.

Members Absent: Nystrom (excused).

Committee Business: Assigned bills to subcommittees; reported Senate File 400 as amended to the Senate calendar.

Adjourned: 3:52 p.m.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE CONCURRENT RESOLUTION 34 (SSB 377), a concurrent resolution to exempt Senate File 492 from Joint Rule 20.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Brown, Horn, Gratias, Colton, Corning, Lind and Taylor. Nays, none. Absent or not voting, 2: Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 554, a bill for an act creating state park advisory committees, providing for the election of members, and specifying their duties.

Recommendation: AMEND AS PROVIDED IN AMENDMENT S—3627 AND THE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 12: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Husak, Neighbour, Rodgers, Schwengels, Tieden and Hester. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 266, a bill for an act relating to financial incentive payments for the protection of forests and forest soils from damage by grazing.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3626.

Final Vote: Ayes, 12: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Neighbour, Rodgers, Schwengels, Tieden and Hester. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 428, a bill for an act relating to the use of gizzard shad as bait.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Husak, Neighbour, Rodgers, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 713, a bill for an act relating to educational leave and educational assistance for state employees.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Dieleman, Nystrom, Bruner, Corning, Gentleman, Horn, C. Miller and Rife. Nays, none. Absent or not voting, 5: Coleman, Drake, Mann, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 559, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATION FROM THE SECRETARY OF STATE

March 29, 1985

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

Dear Ms. Thayer:

I hereby certify that House File 87 was published in the Charles City Press, Charles City, Iowa, on March 20, 1985, and in the Fayette County Union, West Union, Iowa, on March 21, 1985.

Respectfully submitted,
 MARY JANE ODELL
 Secretary of State

BILLS ASSIGNED TO COMMITTEE

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

H.F.	438	Judiciary
H.F.	514	Transportation
H.F.	736	State Government
H.F.	744	Judiciary
H.F.	707	State Government

AMENDMENTS FILED

S-3613	S.F.	395	House amendment
S-3614	H.F.	618	Tom Mann, Jr.
S-3615	S.F.	545	Edgar H. Holden
S-3616	S.F.	441	Julia B. Gentleman
S-3617	H.F.	686	Doug Ritsema
S-3618	S.F.	434	Forrest Schwengels
S-3619	S.F.	500	Tom Mann, Jr.
S-3620	S.F.	395	Norman Goodwin

S—3621	H.F.	476	Forrest V. Schwengels
S—3622	H.F.	476	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 3:35 p.m., President pro tempore Rodgers 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 27, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 610, a bill for an act establishing a municipal equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist municipalities in financing equipment.

This bill was read first time and passed on file.

ALSO: That the House has on March 29, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 498, a bill for an act relating to the qualifications of a weed commissioner, deputy weed commissioner or commercial applicator.

This bill was read first time and passed on file.

ALSO: That the House has on April 2, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 128, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes.

This bill was read first time and passed on file.

House File 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication.

This bill was read first time and passed on file.

House File 501, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels.

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

House File 575, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land.

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

House File 729, a bill for an act relating to certain tax levies of political subdivisions and area schools.

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

House File 748, a bill for an act relating to the financial requirements of grain dealers.

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

House File 750, a bill for an act imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty.

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

House File 751, a bill for an act relating to restitution by a child for attorneys' fees.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 34, by Committee on Education, a resolution to exempt Senate File 492 from Joint Rule 20.

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 45 present, 5 absent and a quorum present.

MOTION TO RECONSIDER WITHDRAWN

Senate File 422

Senator Dieleman withdrew the motion to reconsider Senate File 422, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers, filed by him on March 14, 1985, and found on page 798 of the Senate Journal.

The Senate stood at ease for the purpose of party caucuses until the fall of the gavel.

The Senate resumed session, President pro tempore Rodgers presiding.

INTRODUCTION OF BILLS

Senate File 559, by Committee on Ways and Means, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes.

Read first time and placed on Ways and Means calendar.

Senate File 560, by Committee on Ways and Means, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Read first time and placed on Ways and Means calendar.

QUORUM CALL

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

The vote revealed 43 present, 7 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dieleman for the afternoon on request of Senator Brown.

AMENDMENTS FILED

S—3623	H.F.	315	Thomas A. Lind
S—3624	S. F.	395	Don E. Gettings
S—3625	H.F.	686	Joy Corning Larry Murphy
S—3626	H.F.	266	Natural Resources
S—3627	S. F.	554	Natural Resources
S—3628	H.F.	631	Human Resources
S—3629	H.F.	413	Human Resources
S—3630	S. F.	395	Hurley Hall John Nystrom
S—3631	S. F.	461	Larry Murphy
S—3632	S. F.	503	Norman G. Rodgers Ray Taylor
S—3633	S. F.	395	Richard F. Drake
S—3634	S. F.	395	Richard F. Drake
S—3635	S. F.	395	Richard F. Drake
S—3636	S. F.	395	George Kinley
S—3637	S. F.	395	Richard F. Drake
S—3638	S. F.	395	Richard F. Drake
S—3639	H.F.	664	Richard F. Drake
S—3640	H.F.	476	Emil J. Husak Jack W. Hester Dale Tieden Hurley Hall Larry Murphy
S—3641	H.F.	476	Emil J. Husak Jack Hester Dale Tieden Hurley Hall Larry Murphy
S—3642	S. F.	395	Lee Holt
S—3643	S. F.	395	Lee Holt
S—3644	S. F.	395	Richard F. Drake

HOUSE AMENDMENT CONSIDERED**Senate File 395**

Senator Palmer called up for consideration Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, amended by the House in House amendment S—3613 filed April 3, 1985.

Senator Drake withdrew the following amendments filed by him from the floor to House amendment S—3613:

S—3633 to page 9.

S—3634 to pages 6 and 15.

S—3635 to pages 7 and 9.

S—3637 to page 8.

S—3638 to page 8.

S—3644 to pages 1, 3 and 4.

Senator Gettings withdrew amendment S—3624 filed by him from the floor to page 7 of House amendment S—3613.

Senator Goodwin withdrew amendment S—3620 filed by him from the floor to page 15 of House amendment S—3613.

Senator Holt withdrew amendment S—3642 filed by him from the floor to pages 7 and 9 of House amendment S—3613.

Senator Holt withdrew amendment S—3643 filed by him from the floor to page 7 of House amendment S—3613.

Senator Kinley withdrew amendment S—3636 filed by him from the floor to pages 7 and 9 of House amendment S—3613.

Senator Hall asked and received unanimous consent to withdraw amendment S—3630 filed by Senators Hall and Nystrom from the floor to House amendment S—3613.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 395

The Senate resumed consideration of Senate File 395 and House amendment S—3613.

Senator Palmer 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.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 395 be immediately messaged** to the House.

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

The Senate resumed session, President pro tempore Rodgers presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1985, insisted on its amendment to **Senate File 395**, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, and that the members of the **Conference Committee** on the part of the House are; The Representative from Fayette, Speaker Avenson, Chair; the Representative from Linn, Mrs. Chapman; the Representative from Woodbury, Mr. O'Kane; the Representative from Hancock, Mr. Stromer; and the Representative from Scott, Mr. Schneklath.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the following conference committee on **Senate File 395** on the part of the Senate: Senators Palmer, Chair; Junkins, Welsh, Hultman and Drake.

APPENDIX**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued a certificate of recognition as follows:

Carol Needham, Greene, Iowa — For being selected as the 1985 Iowa Mother of the Year. Senator Jensen (April 3, 1985).

COMMITTEE REPORTS**HUMAN RESOURCES**

Final Bill Action: HOUSE FILE 413, a bill for an act relating to reparations for medical care and counseling under Chapter 912 for victims of domestic abuse and sexual assault and for child victims.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3629.

Final Vote: Ayes, 12: Wells, Bruner, Gentleman, Coleman, Murphy, C. Miller, Readinger, Taylor, Hannon, Gratias, Carr and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 631, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3628.

Final Vote: Ayes, 11: Wells, Bruner, Gentleman, Coleman, Murphy, C. Miller, Readinger, Taylor, Hannon, Gratias and Carr. Nays, none. Voting present, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 560, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Hester, Brown, Bruner, Gronstal, Mann, Readinger and Rodgers. Nays, 6: Boswell, Dieleman, Gratias, Holden, Holt and Soorholtz. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:45 p.m., until 9:30 a.m., Thursday, April 4, 1985.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 4, 1985

The Senate met in regular session at 9:31 a.m., President pro tempore Rodgers presiding.

Prayer was offered by Dr. Scott Woodworth, pastor of the First United Methodist Church, Denison, Iowa.

The Journal of Wednesday, April 3, 1985, was approved.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:40 a.m., until 1:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 311

EDUCATION: Taylor, Chair; Brown and Gratiis

Senate File 325

JUDICIARY: Mann, Chair; Horn and Holt

Senate File 472

STATE GOVERNMENT: Coleman, Chair; Carr and Corning

Senate File 473

APPROPRIATIONS: Murphy, Chair; Gentleman and Gronstal

Senate File 504

APPROPRIATIONS: Gronstal, Chair; Schwengels and Colton

Senate File 510

JUDICIARY: Mann, Chair; Carr and Ritsema

Senate File 522

LOCAL GOVERNMENT: C. Miller, Chair; Hall and Goodwin

Senate File 536

EDUCATION: Colton, Chair; Brown and Corning

Senate File 551

APPROPRIATIONS: Gentleman, Chair; Small and Tieden

Senate Concurrent Resolution 23

RULES & ADMINISTRATION: Hutchins, Chair; Hultman and Junkins

Senate Concurrent Resolution 29

RULES & ADMINISTRATION: Hutchins, Chair; Hultman and Junkins

Senate Concurrent Resolution 33

RULES & ADMINISTRATION: Hutchins, Chair; Hultman and Junkins

House File 244

HUMAN RESOURCES: Murphy, Chair; Bruner and Gratias

House File 255

LOCAL GOVERNMENT: Waldstein, Chair; Neighbour and C. Miller

House File 274**EDUCATION: Murphy, Chair; Hannon and Taylor****House File 360****LOCAL GOVERNMENT: A. Miller, Chair; Hall and Waldstein****House File 366****TRANSPORTATION: Hall, Chair; Kinley and Nystrom****House File 392****SMALL BUSINESS & ECONOMIC DEVELOPMENT: Boswell, Chair; Rife and Doyle****House File 401****TRANSPORTATION: Coleman, Chair; Doyle and Jensen****House File 413****HUMAN RESOURCES: Bruner, Chair; Wells and Gentleman****House File 422****STATE GOVERNMENT: Welsh, Chair; Coleman and Nystrom****House File 497****NATURAL RESOURCES: Rodgers, Chair; Doyle and Gratias****House File 523****LOCAL GOVERNMENT: Wells, Chair; Lind and A. Miller****House File 537****LOCAL GOVERNMENT: Wells, Chair; Hall and Lind**

House File 569

LOCAL GOVERNMENT: C. Miller, Chair; Goodwin and Neighbour

House File 570

WAYS & MEANS: Husak, Chair; Rodgers and Holt

House File 593

TRANSPORTATION: A. Miller, Chair; Jensen and Nystrom

House File 616

APPROPRIATIONS: Gentleman, Chair; Small and Tieden.

House File 626

NATURAL RESOURCES: Tieden, Chair; Hester and Rodgers

House File 631

HUMAN RESOURCES: Hannon, Chair; C. Miller and Taylor

House File 639

EDUCATION: Colton, Chair; Hannon and Lind

House File 640

LOCAL GOVERNMENT: Neighbour, Chair; Priebe and Vande Hoef

House File 643

ENERGY & ENVIRONMENT: Gronstal, Chair; Carr and Soorholtz

House File 644

TRANSPORTATION: Doyle, Chair; Coleman and Drake

House File 645

LOCAL GOVERNMENT: Neighbour, Chair; Vande Hoef and Priebe

House File 646

LOCAL GOVERNMENT: A. Miller, Chair; Wells and Lind

House File 647

ENERGY & ENVIRONMENT: Bruner, Chair; Brown and Rife

House File 649

ENERGY & ENVIRONMENT: Colton, Chair; Bruner and Corning

House File 652

LOCAL GOVERNMENT: Waldstein, Chair; Lind and Wells

House File 656

AGRICULTURE: Boswell, Chair; Soorholtz and Palmer

House File 677

STATE GOVERNMENT: Coleman, Chair; Drake and Rife

House File 682

EDUCATION: Brown, Chair; Gratias and Murphy

House File 684

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Small, Chair; Readinger and Hutchins

House File 686

EDUCATION: Brown, Chair; Taylor and Wells

House File 688

JUDICIARY: Gentleman, Chair; Small and Drake

House File 691

JUDICIARY: Carr, Chair; Mann and Holt

House File 692

AGRICULTURE: Vande Hoef, Chair; Hutchins and Hester

House File 700

JUDICIARY: Mann, Chair; Ritsema and Small

House File 701

JUDICIARY: Mann, Chair; Gentleman and Doyle

House File 703

COMMERCE: Kinley, Chair; Palmer and Holden

House File 709

ENERGY & ENVIRONMENT: A. Miller, Chair; Colton and Rife

House File 711

TRANSPORTATION: Gettings, Chair; Drake and Doyle

House File 712

AGRICULTURE: Hutchins, Chair; Husak and Hester

House File 713

STATE GOVERNMENT: Carr, Chair; Corning and Mann

SSB 374

WAYS & MEANS: Boswell, Chair; Bruner and Holden

SSB 375

WAYS & MEANS: Husak, Chair; Rodgers and Holden

SSB 376

EDUCATION: Brown, Chair; Colton and Corning

SSB 377

EDUCATION: Brown, Chair; Colton and Gratiias

SSB 378

WAYS & MEANS: Husak, Chair; Rodgers and Holt

SSB 379

WAYS & MEANS: Mann, Chair; Bruner and Hester

REPORTS OF COMMITTEE MEETINGS**ENERGY & ENVIRONMENT**

Convened: April 3, 1985, 8:05 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, Carr, A. Miller, Gronstal, Rife, Hultman and Soorholtz.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed House File 643.

Adjourned: 9:15 a.m.

HUMAN RESOURCES

Convened: April 3, 1985, 1:40 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Hannon, Murphy, Readinger, Vande Hoef, C. Miller, Gratiias, Taylor and Coleman.

Members Absent: none.

Committee Business: Reported House Files 413 and 631 to the Senate calendar; reported Governor's appointees to En Bloc Confirmation Calendar; assigned House File 681 to a subcommittee.

Adjourned: 2:00 p.m.

NATURAL RESOURCES

Convened: April 3, 1985, 8:05 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Goodwin, Gratiias, Hannon (arrived 8:09 a.m.), Hester, Husak, Neighbour, Rodgers and Tieden (arrived 8:09 a.m.).

Members Absent: none.

Committee Business: Reported House File 428, House File 266 as amended, and Senate File 554 as amended and the bill without recommendation, to the Senate calendar.

Adjourned: 8:46 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 4, 1985, 8:30 a.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Boswell, Brown, Doyle and Neighbour.

Members Absent: Hutchins, Readinger, Ritsema, Vande Hoef (excused) and Waldstein.

Committee Business: Suspended rules and reported House File 684 as amended to the Senate calendar.

Adjourned: 8:37 a.m.

STATE GOVERNMENT

Convened: April 3, 1985, 2:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Corning, Gentleman, Horn, C. Miller and Rife.

Members Absent: Coleman, Drake, Mann, Schwengels and Welsh.

Committee Business: Reported House File 713 to the Senate calendar; assigned bill to a subcommittee.

Adjourned: 2:40 p.m.

WAYS AND MEANS

Convened: April 3, 1985, 11:10 a.m.

Members Present: Palmer, Chair; Hester, Ranking Member; Boswell (arrived 11:16 a.m.), Brown, Bruner, Dieleman, Gratias, Gronstal (arrived 11:17 a.m.), Holden, Holt, Mann (arrived 11:11 a.m.), Readinger, Rodgers and Soorholtz.

Members Absent: Husak, Vice Chair.

Committee Business: Assigned bills to subcommittees; approved Senate File 134 as amended as a committee bill; approved Senate File 310 as a committee bill; approved SSB 190 as amended as a committee bill; deferred action on Senate File 36.

Adjourned: 12:10 p.m.

COMMUNICATION

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

SENATE RESOLUTION 9

Acknowledgment from United States Congressman Neal Smith that he has received an enrolled copy of Senate Resolution 9, adopted by the Iowa Senate on March 8, 1985.

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:

Gerald W. Prince, Guthrie Center

Norman G. Rodgers, Chair
C.W. Bill Hutchins
John N. Nystrom

CHARLES P. MILLER, Chair
C. JOSEPH COLEMAN
RAY TAYLOR
DALE L. TIEDEN

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 4th day of April, 1985:

Senate Files 150 and 269.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORT

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 684, a bill for an act relating to the economy of the state by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by increasing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, by changing the name of the Iowa housing finance authority, by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes, by requiring that real estate brokers' trust accounts be deposited in interest-bearing accounts and the interest transferred quarterly to the treasurer of state and used by the Iowa housing finance authority to pay commitment costs for programs for first time home buyers, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property, creating a commitment costs fund, creating a title guaranty fund, increasing the real estate transfer tax, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for certain investment powers of state-chartered savings and loan associations and savings banks, by revising the requirements of amendments to a uniform commercial code financing statement, by providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods of lienholders under the procedure, permitting the charging of fees incurred under the title guaranty program, requiring the disclosure of the availability of the title guaranty program and making penalties applicable, providing for an effective date, and providing for the repeal of portions of the Act.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3645.

Final Vote: Ayes, 7: Small, Rodgers, Rife, Boswell, Brown, Doyle and Neighbour. Nays, none. Absent or not voting, 5: Hutchins, Readinger, Ritsema, Vande Hoef and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3645	H.F.	684	Small Business and Economic Development
S—3646	H.F.	571	Donald V. Doyle C. Joseph Coleman Berl E. Priebe Milo Colton
S—3647	S. F.	434	Julia Gentleman Dale Tieden

AFTERNOON SESSION

The Senate reconvened at 1:36 p.m., President pro tempore Rodgers presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 635, a bill for an act relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission.

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

House File 732, a bill for an act relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

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

House File 733, a bill for an act relating to motor vehicle law including insurance coverage requirements for motor vehicles in this state, the giving of notices by the state department of transportation, and creating the uninsured motorists' victim reparation fund, and providing a penalty and effective dates.

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

House File 741, a bill for an act relating to custom livestock feeders.

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

House File 742, a bill for an act relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded.

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

House File 745, a bill for an act to provide limitations on leaves of absence of public employees for certain military purposes.

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

House File 754, a bill for an act relating to the duties of the citizens' aide.

This bill was 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 44 present, 6 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the remainder of the day and Monday, April 8, 1985 on request of Senator Hultman; Senator Wells for the remainder of the day on request of Senator Hutchins.

The Senate stood at ease for the purpose of party caucuses until the fall of the gavel.

The Senate resumed session, Senator Gronstal presiding.

MOTION TO RECONSIDER WITHDRAWN

Senate File 303

Senator Palmer withdrew the motion to reconsider Senate File 303, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure, filed by him on March 1, 1985, and found on page 553 of the Senate Journal.

Amendment S—3314 filed by Senator Palmer on March 14, 1985, to page 3 of the bill, was out of order.

APPENDIX

COMMUNICATION FROM THE SECRETARY OF STATE

April 3, 1985

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

Dear Ms. Thayer:

I hereby certify that Senate File 117 was published in the Kossuth County Advance, Algona, Iowa, on March 23, 1985, and in the Audubon News-Advocate, Audubon, Iowa, on March 27, 1985.

Respectfully submitted
MARY JANE ODELL
Secretary of State

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: April 4, 1985, 10:40 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Drake (excused).

Committee Business: Assigned bills to subcommittees; reported House Files 139, 462, 204, 181, 641, 688 and 691 and Senate File 510 to the Senate calendar.

Adjourned: 12:20 p.m.

LOCAL GOVERNMENT

Convened: April 4, 1985, 10:51 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: Lind (excused).

Committee Business: Assigned bills to subcommittees; reported House Files 640, 645, 537, 523, 652 and 454 to the Senate calendar; reported House File 494 as amended to the Senate calendar; discussed and deferred action on House File 569.

Adjourned: 11:41 a.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 656, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Palmer and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 204, a bill for an act relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offense.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Gentleman, Holt, Horn and Taylor. Nays, none. Absent or not voting, 4: Coleman, Drake, Hester and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 641, a bill for an act relating to the violation of a custodial order and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Holt, Horn and Taylor. Nays, none. Absent or not voting, 5: Coleman, Drake, Gentleman, Hester and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 691, a bill for an act relating to the psychological testing of law enforcement officers and candidates.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Holt, Horn and Taylor. Nays, none. Absent or not voting, 5: Coleman, Drake, Hester, Gentleman and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 454, a bill for an act requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 494, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3648.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 523, a bill for an act relating to the right of cities to lease or lease-purchase real and personal property.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 537, a bill for an act relating to special elections to fill vacancies in city councils.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 640, a bill for an act relating to the computation of interest penalties on delinquent property taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 645, a bill for an act relating to the appointment of a clerk to the board of supervisors.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Goodwin, Hall, Neighbour, Vande Hoef and Wells. Nays, 1: Waldstein. Voting present, 1: Priebe. Absent, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 652, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Waldstein, Goodwin, Hall, Neighbour, Priebe, Vande Hoef and Wells. Nays, none. Voting present, 1: C. Miller. Absent, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Allan T. Thoms be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

MICHAEL E. GRONSTAL

REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2, the committee on Rules and Administration submits the following changes:

Secretary	Rosemary Randolph	Grade 15 Step 7 Effective 1/24/85
Secretary	Pat King	Grade 15 Step 8 Effective 2/8/85
Secretary	Barbara Lind	Grade 15 Step 8 Effective 2/8/85
Secretary	Frances Kurtz	Grade 15 Step 5 Effective 3/8/85
Secretary	Judy Frasier	Grade 15 Step 5 Effective 3/8/85
Secretary	Harriett Vande Hoef	Grade 13 Step 8 Effective 3/8/85
Doorkeeper	Dominic Morrow	Grade 9 Step 2 Effective 3/8/85
Doorkeeper	E.A. Samuelson	Grade 9 Step 2 Effective 3/8/85
Secretary	Sondra Aamoth	Grade 15 Step 5 Effective 4/19/85
Secretary	Connie Eichhorn	Grade 15 Step 8 Effective 4/19/85
Postmaster	Dino Masolini	Grade 10 Step 2 Effective 4/19/85

LOWELL L. JUNKINS, Chair

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 60, the following Governor's appointees referred to the committee on Appropriations on March 15, 1985, were automatically placed on the Individual Confirmation Calendar without recommendation:

John M. Greig and James R. Tyler as members of the Board of Regents.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Agriculture assigned to investigate the appointments of Oliver J. Emerson and Thomas R. Scott and the reappointment of Clifford S. Stille as members of the State Soil Conservation Committee, completed its investigation on April 1, 1985, and recommended the appointees be confirmed.

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the appointment of James H. Weinman as a member of the Iowa Higher Education Loan Authority, completed its investigation on April 4, 1985, and recommended the appointment be confirmed.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	128	Judiciary
H.F.	381	Labor & Industrial Relations
H.F.	498	Local Government
H.F.	501	Labor & Industrial Relations
H.F.	575	Judiciary
H.F.	610	Local Government
H.F.	635	Agriculture
H.F.	729	Local Government
H.F.	732	Judiciary
H.F.	733	Transportation
H.F.	741	Agriculture
H.F.	742	Human Resources
H.F.	745	State Government
H.F.	748	Agriculture
H.F.	750	Energy & Environment
H.F.	751	Judiciary
H.F.	754	State Government

AMENDMENT FILED

S—3648

H.F.

494

Local Government.

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 2:35 p.m., until 1:00 p.m., Monday, April 8, 1985.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 8, 1985

The Senate met in regular session at 1:09 p.m., President Anderson presiding.

Prayer was offered by the Honorable Jack W. Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa.

The Journal of Thursday, April 4, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Waldstein for the day and Senator Schwengels for the week on request of Senator Hultman.

QUORUM CALL

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

The vote revealed 37 present, 13 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 441.

Senate File 441

On motion of Senator Doyle, Senate File 441, a bill for an act relating to payment of compensation to owners of off-premises advertising devices and to the owners of real property on which the advertising devices are located, was taken up for consideration.

Senator Gentleman offered amendment S—3616 filed by her on April 3, 1985, to pages 1 and 2 of the bill.

Senator Doyle called for a division of amendment S—3616: lines 2 through 18 as division S—3616A; lines 19 through 44 as division S—3616B.

Senator Colton took the chair at 1:43 p.m.

Senator Gentleman moved the adoption of division S—3616A, which motion lost by a voice vote.

Senator Doyle asked and received unanimous consent that action on Senate File 441 and division S—3616B be deferred.

MOTION TO RECONSIDER WITHDRAWN

Senate File 356

Senator Horn withdrew the motion to reconsider Senate File 356, a bill for an act allowing the state department of transportation to issue a certificate of title for a vehicle when the previous title was surrendered for a junking certificate due to mistake or inadvertence, filed by him on March 13, 1985, and found on page 757 of the Senate Journal.

Amendment S—3521 filed by Senator Doyle on March 27, 1985, to page 1 and to the title page of the bill, was out of order.

Amendment S—3335 filed by Senator Doyle on March 18, 1985, to page 1 and to the title page of the bill, was out of order.

MOTION TO RECONSIDER DEFERRED

Senate File 539

Senator Coleman called up the motion to reconsider Senate File 539, a bill for an act relating to motor vehicle fuel, filed by him on March 28, 1985, found on page 1119 of the Senate Journal.

Senator Coleman asked and received unanimous consent that further action Senate File 539 be deferred.

MOTION TO RECONSIDER WITHDRAWN**Senate File 516**

Senator Mann withdrew the motion to reconsider Senate File 516, a bill for an act relating to chemical tests for blood alcohol concentration, filed by him on April 1, 1985, and found on page 1170 of the Senate Journal.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 110.

Senate File 110

On motion of Senator Mann, Senate File 110, 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, providing for civil penalties, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—3464 filed by the committee on State Government on March 25, 1985, to pages 1, 2, 3, 5 and 6 of the bill.

Senator Bruner offered amendment S—3585 filed by him on April 2, 1985, to amendment S—3464 and moved its adoption.

Amendment S—3585 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—3464 as amended, which motion prevailed by a voice vote.

Senator Small offered amendment S—3612 filed by Senators Small, et al., on April 2, 1985, to pages 2, 6 and to the title page of the bill and moved its adoption.

Amendment S—3612 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. 110) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Doyle	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Ritsema	Rodgers	Small
Soorholtz	Wells	Welsh	

Nays, 15:

Corning	Dieleman	Drake	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Nystrom	Rife
Taylor	Tieden	Vande Hoef	

Absent or not voting, 4:

Deluhery	Lind	Schwengels	Waldstein
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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 WITHDRAWN

Senate File 516

Senator Ritsema withdrew the motion to reconsider Senate File 516, a bill for an act relating to chemical tests for blood alcohol concentration, filed by him on April 1, 1985, and found on page 1170 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 516 and 110 be immediately messaged to the House.

BUSINESS PENDING

Senate File 441

The Senate resumed consideration of Senate File 441 and division S—3616B, previously deferred.

Senator Doyle withdrew amendment S—3656 filed by him from the floor to division S—3616B.

Senator Doyle offered amendment S—3657 filed by him from the floor to division S—3616B and moved its adoption.

Amendment S—3657 was adopted by a voice vote.

Senator Gentleman moved the adoption of division S—3616B as amended, which motion lost by a voice vote.

Senator Doyle offered amendment S—3523 filed by him on March 27, 1985, to pages 1 and 2 of the bill.

Senator Doyle offered amendment S—3659 filed by him from the floor to amendment S—3523 and moved its adoption.

Amendment S—3659 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—3523 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3523 as amended, the Chair ruled amendment S—3481 filed by Senator Doyle on March 26, 1985, to pages 1 and 2 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. 441) the vote was:

Ayes, 43:

Boswell	Brown	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins

Kinley	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsemā	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, 3:

Bruner	Gentleman	Mann
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Absent or not voting, 4:

Deluhery	Lind	Schwengels	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 441 and 356** be immediately messaged to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 543** be referred from the Unfinished Business Calendar to the committee on Commerce.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 500.

Senate File 500

On motion of Senator Mann, Senate File 500, a bill for an act related to the sale and delivery of preneed funeral services and providing a penalty, was taken up for consideration.

Senator Mann withdrew amendment S—3549 filed by him on March 28, 1985, to pages 1, 2, 3, 6, 7 and 8 of the bill.

Senator Mann offered amendment S—3559 filed by him on March 29, 1985, to pages 1, 2, 3, 4, 5, 6, 7 and 8 of the bill.

Senator Husak asked and received unanimous consent that further action on Senate File 500 be deferred.

President Anderson took the chair at 3:25 p.m.

MOTION TO RECONSIDER WITHDRAWN

Senate File 442

Senator Vande Hoef withdrew the motion to reconsider Senate File 442, a bill for an act requiring school bus drivers to be at least eighteen years of age, filed by him on March 28, 1985, and found on page 1103 of the Senate Journal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 523.

Senate File 523

On motion of Senator Mann, Senate File 523, a bill for an act to provide specific restrictions upon a restitution order for damages resulting directly from a violation of section 321.281, was taken up for consideration.

Senator Mann offered amendment S—3491 filed by him on March 26, 1985, to page 1 of the bill.

Senator Dieleman raised the point of order that amendment S—3491 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3491 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?" (S.F. 523) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Deluhery	Hultman	Jensen	Lind
Palmer	Schwengels	Tieden	Waldstein

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

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 249

Senator Colton withdrew the motion to reconsider Senate File 249, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state, filed by him on March 4, 1985, and found on page 585 of the Senate Journal.

Senator Holden withdrew the motion to reconsider Senate File 249, filed by him on March 4, 1985, and found on page 585 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 523, 442 and 249 be immediately messaged to the House.

MOTION TO RECONSIDER WITHDRAWN

Senate File 274

Senator Jensen withdrew the motion to reconsider Senate File 274, a bill for an act relating to the size of basketball used by certain students in grades kindergarten through twelve, filed by him on March 5, 1985, and found on page 615 of the Senate Journal.

BUSINESS PENDING

Senate File 539

The Senate resumed consideration of the motion to reconsider Senate File 539, previously deferred.

Senator Coleman moved the adoption of the motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 539) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Wells
Welsh			

Nays, 3:

Readinger	Tieden	Vande Hoef
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Absent or not voting, 6:

Deluhery	Hultman	Lind	Schwengels
Small	Waldstein		

The motion prevailed.

Senator Coleman moved to reconsider the vote by which Senate File 539 went to its last reading, which motion prevailed by a voice vote.

Senate File 539

On motion of Senator Husak, Senate File 539, a bill for an act relating to motor vehicle fuel, was taken up for reconsideration.

Senator Coleman offered amendment S—3579 filed by Senators Coleman and Waldstein on April 1, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3579 was adopted by a voice vote.

Senator Husak offered amendment S—3570 filed by Senators Husak and Priebe on April 1, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3570 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. 539) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultraan	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readeringer
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Lind	Schwengels	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 that Senate File 539 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 538.

Senate File 538

On motion of Senator Miller of Cerro Gordo, Senate File 538, a bill for an act relating to an agricultural supply dealer's lien, was taken up for consideration.

Senator Coleman took the chair at 3:55 p.m.

Senator Miller of Cerro Gordo offered amendment S—3538 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3538 was adopted by a voice vote.

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. 538) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Lind	Schwengels	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.

MOTION TO RECONSIDER ADOPTED

Senator Rodgers called up the motion to reconsider Senate File 503 filed by him on March 25, 1985, found on page 1034 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 503) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Deluhery	Dieleman	Hultman	Lind
Miller, A.V.	Schwengels	Waldstein	

The motion prevailed.

Senator Rodgers moved to reconsider the vote by which Senate File 503 went to its last reading, which motion prevailed by a voice vote.

Senate File 503

On motion of Senator Rodgers Senate File 503, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' self-insured workers' compensation plan, was taken up for reconsideration.

Senator Rodgers offered amendment S—3632 filed by Senators Rodgers and Taylor on April 3, 1985, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3632 was adopted by a voice vote.

With the adoption of amendment S—3632, the Chair ruled amendment S—3587 filed by Senator Rodgers on April 2, 1985, to page 1 and to the title page of the bill, 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. 503) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Deluhery	Holden	Kinley	Lind
Schwengels	Soorholtz	Waldstein	

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

The Chair ruled the motion to reconsider Senate File 503 filed by Senator Taylor on March 25, 1985, and found on page 1034 of the Senate Journal, out of order.

The Chair ruled the motion to reconsider Senate File 503 filed by Senator Miller of Cerro Gordo on March 25, 1985, and found on page 1034 of the Senate Journal, out of order.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 538 and 503 be immediately messaged to the House.

The Senate stood at ease for the purpose of a party caucus until the fall of the gavel.

The Senate resumed session, 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 April 2, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

This bill was read first time and referred to the committee on Commerce.

ALSO: That the House has on April 3, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 727, a bill for an act establishing parole programs for all inmates under the jurisdiction of the director of the Iowa department of corrections, which programs must be successfully completed prior to an inmate's release from custody on parole.

This bill was read first time and passed on file.

BILL REFERRED TO COMMITTEE

President Anderson announced that House File 684 was referred from the Regular Calendar to the committee on Commerce.

QUORUM CALL

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

The vote revealed 37 present, 13 absent and a quorum present.

REQUEST FOR UNANIMOUS CONSENT (Governor's Appointees)

Senator Hutchins asked and received unanimous consent that Jacqueline Mayfield and Dr. Mark Wolraich, Governor's appointees to the State Foster Care Review Board, be excused from introduction before the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 457.

Senate File 457

On motion of Senator Gronstal, Senate File 457, a bill for an act relating to the custody of minor children, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S—3562 filed by him on April 1, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3562 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon 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. 457) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rodgers	Small
Taylor	Tieden	Wells	Welsh

Nays, 4:

Gentleman	Rife	Ritsema	Vande Hoef
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Absent or not voting, 6:

Kinley	Lind	Nystrom	Schwengels
Soorholtz	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 457 passed the Senate on April 8, 1985.

MICHAEL E. GRONSTAL

MR. PRESIDENT: I move to reconsider the vote by which Senate File 457 passed the Senate on April 8, 1985.

EDGAR H. HOLDEN

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 34.

Senate Concurrent Resolution 34

On motion of Senator Brown, Senate Concurrent Resolution 34, a resolution to exempt Senate File 492 from Joint Rule 20, was taken up for consideration.

Senator Brown moved the adoption of Senate Concurrent Resolution 34.

On the question "Shall the resolution be adopted?" (SCR 34) the vote was:

Ayes, 30:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Gettings	Gratias	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rodgers	Small	Taylor
Wells	Welsh		

Nays, 14:

Coleman	Corning	Drake	Gentleman
Goodwin	Hester	Holden	Holt
Hultman	Jensen	Rife	Ritsema
Tieden	Vande Hoef		

Absent or not voting, 6:

Kinley	Lind	Nystrom	Schwengels
Soorholtz	Waldstein		

The motion prevailed and the resolution was adopted.

Senator Hutchins asked and received unanimous consent that Senate Concurrent Resolution 34 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 224.

Senate File 224

On motion of Senator Corning, Senate File 224, a bill for an act relating to discrimination on the basis of gender and marital status, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S—3563 filed by him on April 1, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3563 was adopted by a voice vote.

Senator Corning moved that the bill be read the last time now and placed upon 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. 224) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Drake	Hultman	Kinley	Lind
Nystrom	Palmer	Schwengels	Soorholtz
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 that **Senate File 224** be immediately messaged to the House.

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

The Senate resumed session, Senator Horn presiding.

APPENDIX.**REPORT OF COMMITTEE MEETING****EDUCATION**

Convened: April 4, 1985, 9:50 a.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratiias, Ranking Member; Colton, Corning, Hannon, Taylor and Wells.

Members Absent: Lind and Murphy (both excused).

Committee Business: Recommended Governor's appointees be confirmed.

Adjourned: 10:00 a.m.

COMMITTEE REPORT**JUDICIARY**

Final Bill Action: SENATE FILE 510, a bill for an act relating to the officers of the state conservation commission.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3655.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Holt, Horn and Taylor. Nays, none. Absent or not voting, 5: Coleman, Drake, Gentleman, Hester and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3653.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Gentleman, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Drake and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 181, a bill for an act to legalize proceedings taken by the city council of the city of Buffalo, Iowa relating to the compensation of the mayor.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3651

Final Vote: Ayes, 11: Doyle, Mann, Carr, Coleman, Deluhery, Dieleman, Holt, Horn, Small, Taylor and Gentleman. Nays, 1: Ritsema. Absent or not voting, 2: Drake and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3654.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 688, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3652.

Final Vote: Ayes, 8: Doyle, Ritsema, Deluhery, Dieleman, Gentleman, Small, Taylor and Holt. Nays, 4: Mann, Carr, Coleman and Horn. Absent or not voting, 2: Drake and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the appointment of Mary Helgeson Ellis, as Director of the Iowa Department of Substance Abuse, completed its investigation on April 3, 1985, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the appointment of Nancy M. Jones as a member of the State Health Facilities Council, completed its investigation on April 8, 1985, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the reappointment of Virginia J. Poffenberger as a member of the State Board of Social Work Examiners, completed its investigation on April 3, 1985, and recommended the appointment be confirmed.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 8, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 150—Relating to the appointment date for a secretary of a school board.

S.F. 269—Relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3562 to Senate File 457 was adopted by the Senate on April 8, 1985.

EDGAR H. HOLDEN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 457 passed the Senate on April 8, 1985.

CHARLES BRUNER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3562 to Senate File 457 was adopted by the Senate on April 8, 1985.

CHARLES BRUNER

PETITIONS

The following petitions were presented and placed on file by:

Senator Junkins from three hundred fifty-seven residents of Iowa favoring legislation relating to the private instruction received by certain children between the ages of seven and sixteen (Senate File 311).

Senator Junkins from nine hundred sixteen residents of Iowa opposing the sale of the Columbus Junction, Iowa packing plant.

Senator Drake from six residents of Washington County opposing the Iowa Negotiations process regarding third party decisions.

Senator Junkins from one hundred seventeen residents of Iowa requesting the confirmation of Norman Pawlewski as Commissioner of Public Health.

The following petitions opposing the premium tax legislation that would place a one percent tax on insurance premiums were presented and placed on file by:

Senator Bruner from twenty-seven residents of Story County.
Senator Coleman from forty-seven residents of Hamilton County.
Senator Kinley from ninety-three residents of Polk County.

The following petitions favoring legislation to increase appropriations to the Iowa State Transit Assistance Fund to insure continuation of public transit services to Iowans were presented and placed on file by:

Senator Welsh from one hundred eighteen residents of Jackson County.
Senator Junkins from eighty-seven residents of Iowa.

PRESENTATION OF VISITORS

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

Government students from Graceland College, Lamoni, Iowa, accompanied by Dr. William Russell. Senator Boswell.

Fifty students from Urbandale High School, Urbandale, Iowa, accompanied by Rhonda Fey. Senator Readinger.

AMENDMENTS FILED

S—3650	S.F.	547	Tom Mann, Jr.
S—3651	H.F.	181	Judiciary
S—3652	H.F.	688	Judiciary
S—3653	H.F.	139	Judiciary
S—3654	H.F.	462	Judiciary
S—3655	S.F.	510	Judiciary
S—3656	S.F.	441	Donald V. Doyle
S—3657	S.F.	441	Donald V. Doyle
S—3658	H.F.	686	Joe Brown Ray Taylor
S—3659	S.F.	441	Donald V. Doyle
S—3660	S.F.	473	Larry Murphy
S—3661	S.F.	184	Julia B. Gentleman
S—3662	H.F.	244	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:08 p.m., until 9:00 a.m., Tuesday, April 9, 1985.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 9, 1985

The Senate met in regular session at 9:06 a.m., President Anderson presiding.

Prayer was offered by the Reverend Paul Johansen, pastor of the Liberty Lutheran Church, Rake, Iowa.

The Journal of Monday, April 8, 1985, was approved.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 184.

Senate File 184

On motion of Senator Kinley, Senate File 184, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—3236 filed by the committee on Local Government on March 7, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 26.

Amendment S—3236 lost.

Senator Gentleman offered amendment S—3661 filed by her on April 8, 1985, to pages 1, 2 and 5 of the bill and called for a division: page 1, lines 1 through 10 and lines 17 through 50 and page 2 as division S—3661A; page 1, lines 11 through 16 as division S—3661B.

Senator Gentleman moved the adoption of division S—3661A.

A non record roll call was requested.

The ayes were 14, nays 33.

Division S—3661A lost.

Senator Gentleman withdrew division S—3661B.

Senator Husak asked and received unanimous consent that further action on **Senate File 184** be deferred.

UNFINISHED BUSINESS (Deferred March 18, 1985)

Senate File 343

The Senate resumed consideration of **Senate File 343**, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability, deferred on March 18, 1985.

Senator Coleman withdrew amendment S—3343 filed by him on March 18, 1985, to page 1 of the bill.

Senator Mann withdrew amendment S—3395 filed by him on March 19, 1985, to pages 2 and 3 of the bill.

Senator Mann offered amendment S—3506 filed by him on March 26, 1985, to pages 2, 3 and 7 of the bill and moved its adoption.

Amendment S—3506 was adopted by a voice vote.

Senator Mann withdrew amendment S—3396 filed by him on March 19, 1985, to page 5 of the bill.

Senator Mann withdrew amendment S—3394 filed by him on March 19, 1985, to page 7 of the bill.

Senator Mann asked and received unanimous consent that **House File 696** be substituted for **Senate File 343** as amended.

House File 696

On motion of Senator Mann, House File 696, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability, was taken up for consideration.

Senator Mann asked and received unanimous consent that further action on **House File 696** be deferred.

MOTION TO RECONSIDER WITHDRAWN

Senate File 463

Senator Waldstein withdrew the motion to reconsider Senate File 463, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date, filed by him on April 2, 1985, and found on page 1184 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **Senate File 463** be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 462.

Senate File 462

On motion of Senator Gronstal, Senate File 462, a bill for an act relating to public utilities making civil penalties applicable, with report of committee on Commerce recommending amendment and passage, was taken up for consideration.

Senator Holden offered amendment S—3475 filed by the committee on Commerce on March 25, 1985, to pages 1 through 5 of the bill.

Senator Hutchins offered amendment S—3543 filed by him on March 27, 1985, to amendment S—3475 and moved its adoption.

Amendment S—3543 was adopted by a voice vote.

Senator Gronstal called for a division of amendment S—3475 as amended: lines 2 through 29 as division S—3475A; lines 30 and 31 as division S—3475B.

Senator Gronstal asked and received unanimous consent that further action on division S—3475A be deferred.

Senator Holden moved the adoption of division S—3475B.

A record roll call was requested.

On the question "Shall division S—3475B be adopted?" (S.F. 462) the vote was:

Ayes, 26:

Brown	Corning	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Hultman	Husak
Jensen	Kinley	Miller, C.P.	Neighbour
Nystrom	Priebe	Readinger	Rife
Ritsema	Rodgers	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 22:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Gronstal
Hannon	Hester	Horn	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Murphy	Palmer	Small	Soorholtz
Wells	Welsh		

Absent or not voting, 2:

Dieleman	Schwengels
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Division S—3475B was adopted.

With the adoption of division S—3475B, the Chair ruled amendment S—3594 filed by Senator Hannon on April 2, 1985, to page 5 of the bill, out of order.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 462** and division S—3475A be **deferred**.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 335** and **534** be referred from the Regular Calendar to the committee on **Judiciary**.

Senator Hutchins asked and received unanimous consent that **Senate File 550** be referred from the Regular Calendar to the committee on **Education**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 432

Senator Vande Hoef withdrew the motion to reconsider **Senate File 432**, a bill for an act relating to the makeup of the board of nursing examiners, filed by him on March 22, 1985, and found on page 994 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 April 3, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date (S—3667).

ALSO: That the House has on April 3, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 705, a bill for an act relating to the ownership of real property by providing for the holding of repossessed real property by a state bank, providing for redemption periods, providing for the transfer of title without judicial foreclosure, permitting certain persons to take and foreclose on security interests in agricultural land and to own agricultural land for purposes of research and experimentation, and providing for the execution of foreclosure judgments.

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

ALSO: That the House has on April 8, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 164, a bill for an act relating to the payment of commissions to commission salespersons and providing a penalty.

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

House File 676, a bill for an act relating to the establishment of an export trade division within the Iowa development commission.

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

House File 702, a bill for an act including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable.

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

House File 726, a bill for an act relating to joint exercise of powers to finance hydroelectric power facilities.

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

House File 746, a bill for an act relating to merged area hospitals.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:55 a.m., until 1:00 p.m.

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 473, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3668.

Final Vote: Ayes, 10: Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy and Gentleman. Nays, 4: Small, Ritsema, Holt and Readinger. Absent or not voting, 4: Welsh, Husak, Schwengels and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 682, a bill for an act relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon its publication.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind and Taylor. Nays, none. Absent or not voting, 2: Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 561 (SSB 190), a bill for an act relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; making technical corrections to the individual and corporate income tax concerning the credit for increasing research activities in the state; eliminating the requirement that the election campaign fund and fish and game protection fund checkoffs be on the face of the return immediately above the signature line; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing of these reports with the department of revenue; providing

for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 4, 1985, 9:47 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Vande Hoef (arrived 9:50 a.m.) and Waldstein.

Members Absent: Palmer (excused).

Committee Business: Assigned bills to subcommittees; presentation by Merle Lang, State Veterinarian.

Adjourned: 10:45 a.m.

APPROPRIATIONS

Convened: April 8, 1985, 5:47 p.m.

Members Present: Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman and Readinger.

Members Absent: Welsh, Chair (excused); Husak, Schwengels (excused) and Lind (excused).

Committee Business: Reported Senate File 473 as amended to the Senate calendar.

Adjourned: 6:07 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 9th day of April, 1985:

Senate File 531.

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3236 to Senate File 184 failed to be adopted by the Senate on April 9, 1985.

JULIA GENTLEMAN

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the committee on Appropriations meeting on April 8, 1985, as I was meeting with the conference committee on Senate File 395.

Had I been present, I would have voted "aye" on reporting Senate File 473 as amended to the Senate calendar.

JOE J. WELSH

PRESENTATION OF VISITORS

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

Fifty fourth grade students from Webster Elementary School, Perry, Iowa, accompanied by Mrs. Landon. Senator Rodgers.

Fifty sixth grade students from Southeast Elementary School, Ankeny, Iowa, accompanied by Mrs. Strother and Mrs. Plantz. Senator Palmer.

AMENDMENTS FILED

S—3663	S. F.	544	Michael Gronstal
S—3664	S. F.	559	Charles Bruner
S—3665	H.F.	696	C. Joseph Coleman
S—3666	S. F.	491	Calvin O. Hultman
S—3667	S. F.	79	House amendment
S—3668	S. F.	473	Appropriations
S—3669	S. F.	462	Arthur A. Small, Jr.

AFTERNOON SESSION

The Senate reconvened at 1:00 p.m., President Anderson presiding.

INTRODUCTION OF BILL

Senate File 561, by Committee on Ways and Means, a bill for an act relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; making technical corrections to the individual and corporate income tax concerning the credit for increasing research activities in the state; eliminating the requirement that the election campaign fund and fish and game protection fund checkoffs be on the face of the return immediately above the signature line; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing of these reports with the department of revenue; providing for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates.

Read first time and placed on Ways and Means calendar.

QUORUM CALL

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

The vote revealed 37 present, 13 absent and a quorum present.

RECESS

On motion of Senator Junkins, the Senate recessed at 1:10 p.m., until 3:30 p.m.

RECONVENED

The Senate reconvened at 3:35 p.m., President Anderson presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 35, by Committee on Judiciary, a resolution relating to the liability of social hosts.

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.

UNFINISHED BUSINESS (Deferred March 25, 1985)

Senate File 266

The Senate resumed consideration of Senate File 266, a bill for an act relating to veteran preference in public employment and providing an effective date and amendment S—3311, deferred on March 25, 1985.

Senator Bruner moved the adoption of amendment S—3311 to strike everything after the enacting clause of the bill, which motion prevailed 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. 266) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gentleman	Gronstal

Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Junkins
Mann	Miller, A.V.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Ritsema
Rodgers	Small	Soorholtz	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 12:

Doyle	Gettings	Goodwin	Hall
Hultman	Jensen	Lind	Miller, C.P.
Murphy	Rife	Taylor	Tieden

Absent or not voting, 3:

Gratias	Kinley	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 April 2, 1985)

Senate File 461

The Senate resumed consideration of Senate File 461, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations, deferred on April 2, 1985.

Senator Gronstal called up the motion to reconsider the vote by which amendment S—3571 to Senate File 461 was adopted by the Senate on April 2, 1985, filed by him on April 2, 1985 and found on page 1188 of the Senate Journal.

Senator Holden asked and received unanimous consent that further action on Senate File 461 and the motion to reconsider amendment S—3571 be deferred.

MOTION TO RECONSIDER LOST

Senate File 475

Senator Gentleman called up the motion to reconsider Senate File 475, a bill for an act relating to corporate takeovers and providing penalties, filed by her on March 29, 1985, found on page 1144 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 475) the vote was:

Ayes, 14

Corning	Gentleman	Goodwin	Hester
Holden	Holt	Jensen	Lind
Nystrom	Readinger	Rife	Ritsema
Taylor	Vande Hoef		

Nays, 27:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Kinley	Mann	Miller, C.P.	Murphy
Neighbour	Priebe	Rodgers	Small
Soorholtz	Tieden	Wells	

Absent or not voting, 9:

Drake	Gratias	Hultman	Junkins
Miller, A.V.	Palmer	Schwengels	Waldstein
Welsh			

The motion lost.

The Chair ruled the motion to reconsider filed by Senator Mann to Senate File 475 on April 1, 1985, and found on page 1170 of the Senate Journal, out of order.

The Chair ruled amendment S—3675 to Senate File 475 filed by Senator Gentleman from the floor to strike everything after the enacting clause of the bill, out of order.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 475, 432 and 266 be immediately messaged to the House.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 545.

Senate File 545

On motion of Senator Holden, Senate File 545, a bill for an act relating to the reorganization of bank affiliates, was taken up for consideration.

Senator Rife offered amendment S—3566 filed by Senators Rife and Hutchins on April 1, 1985, to strike everything after the enacting clause of the bill.

Senator Holden asked and received unanimous consent that action on amendment S—3607 filed by him on April 2, 1985 to amendment S—3566 be deferred.

Senator Holden offered amendment S—3615 filed by him on April 3, 1985, to amendment S—3566.

Senator Small raised the point of order that amendment S—3615 was not germane.

The Chair ruled the point well taken and amendment S—3615 out of order.

Senator Holden offered amendment S—3606 filed by him on April 2, 1985 to amendment S—3566 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3606 to amendment S—3566 be adopted?" (S.F. 545) the vote was:

Ayes, 15:

Bruner	Corning	Gentleman	Goodwin
Gronstal	Holden	Holt	Kinley
Lind	Miller, C.P.	Murphy	Readinger
Ritsema	Small	Soorholtz	

Nays, 29:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Gettings	Hall	Hannon	Hester
Horn	Husak	Hutchins	Jensen
Junkins	Mann	Miller, A.V.	Neighbour
Nystrom	Priebe	Rife	Rodgers
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Absent or not voting, 6:

Drake	Gratias	Hultman	Palmer
Schwengels	Waldstein		

Amendment S—3606 lost.

Senator Holden withdrew amendment S—3607 to amendment S—3566, previously deferred.

Senator Holden raised the point of order that amendment S—3566 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3566 out of order.

Senator Husak asked and received unanimous consent that further action on **Senate File 545** be deferred.

BUSINESS PENDING

Senate File 461

The Senate resumed consideration of **Senate File 461** and the motion to reconsider amendment S—3571, previously deferred.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 461** and the motion to reconsider amendment S—3571 be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 544.

Senate File 544

On motion of Senator Gronstal, Senate File 544, a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, providing for a penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an applicant for a loan shall report other installment loans that the applicant may have, was taken up for consideration.

Senator Gronstal offered amendment S—3663 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3663 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that **House File 556 be substituted for Senate File 544 as amended.**

Senator Gronstal asked and received unanimous consent that further action on **House File 556 be deferred.**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 477.

Senate File 477

On motion of Senator Mann, Senate File 477, a bill for an act relating to the search of students or protected student areas, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—3465 filed by the committee on Judiciary on March 25, 1985, to pages 1 and 3 of the bill.

Senator Taylor called for a division of amendment S—3465: lines 2 and 3 as division S—3465A and lines 4 and 5 as division S—3465B.

Senator Mann moved the adoption of division S—3465A, which motion prevailed by a voice vote.

Senator Taylor asked and received unanimous consent that further action on division S—3465B be deferred.

Senator Taylor offered amendment S—3671 filed by him from the floor to page 3 of the bill.

Senator Taylor asked and received unanimous consent that further action on amendment S—3671 be deferred.

Senator Mann moved the adoption of division S—3465B, previously deferred, which motion prevailed by a voice vote.

With the adoption of division S—3465B, the Chair ruled amendment S—3671 to page 3 of the bill, previously deferred, 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?" (S.F. 477) the vote was:

Ayes, 29:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Drake
Gentleman	Gronstal	Hannon	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rodgers	Small	Soorholtz	Wells
Welsh			

Nays, 18:

Boswell	Corning	Dieleman	Gettings
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Lind
Rife	Ritsema	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 3:

Gratias

Nystrom

Schwengels

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 that Senate File 477 be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gratias for the afternoon on request of Senator Hultman.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	164	Labor & Industrial Relations
H.F.	676	Small Business
H.F.	702	Judiciary
H.F.	705	Commerce
H.F.	726	Energy & Environment
H.F.	727	Judiciary

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 60, the following Governor's appointment referred to the committee on Judiciary on March 18, 1985, was automatically placed on the Individual Confirmation Calendar **without recommendation**.

Barbara Binnie as a member of the Board of Parole.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 692, a bill for an act relating to the Iowa dairy industry.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 741, a bill for an act relating to custom livestock feeders.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 196, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3670.

Final Vote: Ayes, 8: Kinley, Deluhery, Holden, Gronstal, Hutchins, Jensen, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 35, a resolution relating to the liability of social hosts.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Carr and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 128, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3676.

Final Vote: Ayes, 10: Doyle, Mann, Carr, Coleman, Deluhery, Dieleman, Drake, Horn, Small and Taylor. Nays, 4: Ritsema, Gentleman, Hester and Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 526, a bill for an act relating to interpreters for certain hearing impaired persons.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Carr and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 575, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Gentleman and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 751, a bill for an act relating to restitution by a child for attorneys' fees.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: HOUSE FILE 173, a bill for an act to protect public employees from personnel actions as reprisals for providing information to legislators or public officials or disclosing waste, mismanagement, or violations of law.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 359, a bill for an act relating to fees for boiler inspections.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Mann, Gettings, Jensen, Colton, Deluhery, Hultman, Rife and Wells. Nays, 2: Holden and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 501, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 150, a bill for an act relating to fees collected by the sheriff.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe and Vande Hoef. Nays, none. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 255, a bill for an act relating to the election of hospital trustees.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef. Nays, none. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 569, a bill for an act relating to the administration of special land use districts.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 670, a bill for an act relating to the termination of a county library district.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe and Vande Hoef. Nays, none. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 660, a bill for an act relating to reporting of fires and emergency responses to the state fire marshal and the payment of fees for the fire reports.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Dieleman, Nystrom, Coleman, Corning, Drake, Horn, C. Miller and Rife. Nays, none. Absent or not voting, 5: Bruner, Gentleman, Mann, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 366, a bill for an act relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen and Nystrom. Nays, none. Absent or not voting, 2: Kinley and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 572, a bill for an act regulating the gross weights of rubbish vehicles and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3674.

Final Vote: Ayes, 7: Coleman, Drake, Doyle, Goodwin, Jensen, Kinley and Nystrom. Nays, 2: Hall and Gettings. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 711, a bill for an act relating to the application for registration and titling of vehicles and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen and Nystrom. Nays, none. Absent or not voting, 2: Kinley and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)**

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the reappointment of Marilyn Tucker as a member of the Iowa Higher Education Loan Authority, completed its investigation on April 9, 1985, and recommended the appointee be confirmed.

PROOF OF PUBLICATION

Published copy of House File 575 and verified proof of publication of said bill in the Van Buren County Register, a newspaper published in Keosauqua, Iowa, on February 14, 1985, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

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

A copy of the annual report of the Professional and Occupational Regulation Commission for the calendar year 1984 pursuant to Sec. 2B.3, Code of Iowa.

AMENDMENTS FILED

S-3670	H.F.	196	Commerce
S-3671	S.F.	477	Ray Taylor
S-3672	S.F.	473	Larry Murphy
S-3673	H.F.	556	Michael Gronstal
S-3674	H.F.	572	Transportation
S-3675	S.F.	475	Julia Gentleman
S-3676	H.F.	128	Judiciary
S-3677	H.F.	451	Beverly Hannon
S-3678	S.F.	491	Beverly Hannon
S-3679	S.F.	461	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:01 p.m., until 9:00 a.m., Wednesday, April 10, 1985.

JOINT MEMORIAL SERVICE

**SEVENTY-FIRST GENERAL ASSEMBLY
HOUSE CHAMBER
TUESDAY, APRIL 9, 1985
7:30 p.m.**

PROGRAM

REPRESENTATIVE MARK A. HAVERLAND, PRESIDING

Prelude — Flute Solo

Fantasy #6, D Minor

By: Telemann

Merilee Johnson, Secretary to Representative Elaine Baxter, Des Moines

Invocation Representative Mark A. Haverland, Polk

“God of Our Fathers” George W. Warren

Legislative Chorus

MEMORIALS—HOUSE

Reading: Representative Florence Buhr, Polk

MEMORIALS—SENATE

Reading: Senator Joy Corning, Black Hawk

“Heavenly Manna” Cesar Franck

Janis Bowden, Secretary to Representative Jo Ann Zimmerman, Solist

MEMORIALS—HOUSE

Reading: Representative Betty Jean Clark, Cerro Gordo

MEMORIALS—HOUSE AND SENATE

Reading: Senator Larry Murphy, Fayette

“If My People” Darlene Janzen Swanson

Legislative Chorus

MEMORIALS—HOUSE

Reading: Representative Brian Carter, Henry

MEMORIALS—SENATE

Reading: Senator Richard Vande Hoef, Osceola

“Amazing Grace” Arranged by: Gordon Young
Choral Group—Representatives: Mark A. Haverland and Darrell R. Hanson;
Secretaries: Janis Bowden, Mark Lambert, Joan Koenigs, Anita O’Gara and
Claretta De Groot; and House Page: Michael Booheister

MEMORIALS—HOUSE

Reading: Representative Janet Metcalf, Polk

“God Bless America” Irving Berlin
Legislative Chorus

Benediction Senator Charles P. Miller, Des Moines

IN MEMORIAM**SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE**

Honorable Howard C. Buck (Marshall County) House—53rd, 54th, 55th and 56th.
(Marshall County) Senate—57th, 58th, 59th, 60th and 60th Extra.

Honorable J. Henry Lucken (Plymouth County) House—52nd, 53rd, 54th, 55th,
56th, 57th and 58th. (Cherokee, Ida and Plymouth Counties) Senate—59th,
60th, 60x, 61st, 62nd and 63rd.

Honorable Clifford M. Vance (Henry County) House—56th. (Henry, Washington
and Jefferson Counties) Senate—57th, 58th, 59th, 60th, 60x and 61st.
President pro tempore, 60th.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Armour Boot (Marion County) 61st.

Honorable James W. Burke (Woodbury County) 61st.

Honorable Henry W. Busch (Bremer County) 60th, 61st and 62nd.

Honorable Sonja L. Egenes (Story County) 64th, 65th, 66th, 67th, 67x, 68th, 69th
and 69x.

Honorable Charles H. Everett (Story County) 53rd.

Honorable Carl H. Hensley (Audubon County) 57th and 59th.

Honorable Charles E. Knoblauch (Webster County) 63rd and 64th.

Honorable Max William Kreager (Jasper County) 59th and 60th.

Honorable Rayman D. Logue (Iowa County) 63rd and 65th.

Honorable Harvey J. Long (Clinton County) 49th, 50th, 51st, 52nd and 53rd.

Honorable Elroy Maule (Monona County) 57th, 58th, 59th, 60th and 61st.

Honorable Katheryn C. Metz (Decatur County) 53rd and 54th.

Honorable Maurice M. Neal (Dallas County) 52nd.

Honorable Henry William Siefkas (Clarke County) 48th, 49th, 50th, 51st, 52nd and 53rd.

Honorable Ted P. Sloane (Polk County) 50th, 51st, 52nd, 53rd and 54th.

Honorable Clair Strand (Poweshiek County) 62nd, 63rd and 64th.

Honorable John J. Swaner (Johnson County) 49th, 50th and 51st.

Honorable Dick H. Vanderwilt (Mahaska County) 51st.

Honorable Herman W. Walter (Pottawattamie County) 48th, 49th, 50th, 51st and 52nd.

SERVED IN THE SENATE

Honorable Duane Dewel (Emmet, Kossuth and Palo Alto Counties) 51st, 52nd, 55th, 56th, 57th and 58th. Senator Majority Leader, 56th.

Honorable A. V. Doran (Boone and Story Counties) 60th and 60x.

Honorable Peter F. Hansen (Carroll, Crawford, Greene and Sac Counties) 58th, 59th, 60th, 60x and 61st.

Honorable John R. Hattery (Boone and Story Counties) 49th, 50th, 50x, 53rd and 54th.

Honorable Gerald W. Prince (Audubon, Dallas and Guthrie Counties) 57th and 58th.

Honorable DeVere Watson (Pottawattamie County) 49th, 50th, 50x, 51st, 52nd, 53rd, 54th, 55th and 56th. President pro tempore, 56th.

Candlelighters

Representative Linda Beatty
Representative Joan L. Hester
Senator Julia B. Gentleman
Senator Beverly A. Hannon

Hosts

Representative Kenneth De Groot
Representative Paul W. Johnson
Representative Don Shoning
Senator C. Joseph Coleman
Senator Dale L. Tieden
Senator Don E. Gettings

LEGISLATIVE CHORUS

Director: Senator Ray Taylor, Steamboat Rock
Accompanist: Christopher Sorensen, Senate Page

HOUSE MEMORIAL COMMITTEE

Honorable Mark A. Haverland, Chair
Honorable Linda L. Beatty
Honorable Kenneth De Groot
Honorable Joan L. Hester

SENATE MEMORIAL COMMITTEE

Honorable Charles P. Miller, Chair
Honorable C. Joseph Coleman
Honorable Ray Taylor
Honorable Dale L. Tieden

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 10, 1985

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

Prayer was offered by Father Robert Harness, pastor of the St. Elizabeth Catholic Church, Harper, Iowa.

The Journal of Tuesday, April 9, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gratias for the day on request of Senator Hultman.

QUORUM CALL

Senator Hutchins 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 BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 348.

Senate File 348

On motion of Senator Boswell, Senate File 348, a bill for an act relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties, with report of committee without recommendation, was taken up for consideration.

Senator Boswell asked and received unanimous consent that further action on **Senate File 348** be deferred.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 473.

Senate File 473

On motion of Senator Carr, Senate File 473, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—3668 filed by the committee on Appropriations on April 9, 1985, to page 4 and to the title page of the bill.

Senator Carr asked and received unanimous consent that further action on amendment S—3668 be deferred.

Senator Gentleman offered amendment S—3494 filed by her on March 26, 1985, to pages 1, 2, 3 and 4 of the bill.

Senator Gentleman asked and received unanimous consent that further action on amendment S—3494 be deferred.

Senator Waldstein offered amendment S—3567 filed by him on April 1, 1985, to page 3 of the bill.

Senator Ritsema asked and received unanimous consent that further action on **Senate File 473** and amendments S—3668, S—3494 and S—3567 be deferred.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 547.

Senate File 547

On motion of Senator Mann, Senate File 547, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department, was taken up for consideration.

Senator Mann offered amendment S—3650 filed by him on April 8, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 16.

Amendment S—3650 was adopted.

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. 547) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Gronstal	Hall	Hannon	Holden
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Ritsema	Small
Soorholtz	Wells	Welsh	

Nays, 12:

Drake	Goodwin	Hester	Holt
Hultman	Jensen	Lind	Rife
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 3:

Gratias	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.

Senator Hutchins asked and received unanimous consent that Senate File 547 be immediately messaged to the House.

UNFINISHED BUSINESS
(Deferred April 9, 1985)

Senate File 461

The Senate resumed consideration of Senate File 461, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations and the motion to reconsider amendment S—3571, deferred on April 9, 1985.

Senator Gronstal moved the adoption of the motion to reconsider amendment S—3571.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 461) the vote was:

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

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Priebe	Soorholtz	Wells

Nays, 18:

Corning	Drake	Gentleman	Goodwin
Hall	Holden	Holt	Hultman
Jensen	Palmer	Readinger	Rife
Ritsema	Small	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 4:

Gratias	Rodgers	Schwengels	Welsh
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The motion prevailed and amendment S—3571 by Senator Holden to pages 1 through 7 and the title page of the bill, was taken up for reconsideration.

Senator Hultman asked and received unanimous consent that further action on Senate File 461 and amendment S—3571 be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:20 a.m., until 3:30 p.m.

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 642, a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman and Readinger. Nays, 1: Lind. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: HOUSE FILE 341, a bill for an act requiring the state building code commissioner to adopt a minimum energy efficiency standard for new single-family or two family residential construction.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Bruner, Colton, Brown, Carr, Gronstal, A. Miller, Hultman, Rife and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 649, a bill for an act relating to water wells by providing for regulation of water wells and the registration of water well contractors.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Bruner, Colton, Brown, Carr, Gronstal, A. Miller and Corning. Nays, 2: Rife and Soorholtz. Absent or not voting, 1: Hultman..

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 709, a bill for an act relating to the hazardous chemicals interagency coordinating council.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Bruner, Colton, Brown, Carr, Gronstal, A. Miller, Corning, Hultman, Rife and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 728, a bill for an act requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, and small businesses.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Bruner, Colton, Brown, Carr, Gronstal, A. Miller, Corning, Hultman, Rife and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 750, a bill for an act imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Bruner, Colton, Brown, Carr, Gronstal, A. Miller and Rife. Nays, 1: Hultman. Absent or not voting, 2: Corning and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Ecology Club members from Burlington High School, Burlington, Iowa. Senator C. Miller.

AFTERNOON SESSION

The Senate reconvened at 3:32 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 April 1, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 730, a bill for an act relating to the licensure of dietitians and nutritionists.

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

ALSO: That the House has on April 8, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 678, a bill for an act relating to drainage and drainage districts.

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

INTRODUCTION OF BILL

Senate File 562, by Committee on Appropriations, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation.

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

QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

MOTION TO RECONSIDER WITHDRAWN

Senate File 421

Senator Dieleman withdrew the motion to reconsider Senate File 421, a bill for an act to require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are convicted of selling alcohol to minors, filed by him on March 22, 1985, and found on page 994 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that Senate File 421 be immediately messaged to the House.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 395)

A conference committee report signed by the following Senate and House members was filed April 10, 1985, on Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates:

ON THE PART OF THE SENATE:

WILLIAM D. PALMER, Chair
LOWELL L. JUNKINS
JOE J. WELSH
CALVIN O. HULTMAN
RICHARD F. DRAKE

ON THE PART OF THE HOUSE

DONALD D. AVENSON, Chair
KAY CHAPMAN
JAMES D. O'KANE
DELWYN STROMER
HUGO SCHNEKLOTH

CONFERENCE COMMITTEE REPORT CONSIDERED
(Senate File 395)

Senate File 395

Senator Palmer called up the conference committee report on Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, filed April 10, 1985.

Senator Ritsema raised the point of order that the conference committee report was out of order pursuant to Joint Rule 13, subsection 3, wherein a conference committee has authority to propose amendments to any portion of a bill provided the amendment is within the scope of the title of the bill as passed by the house of origin or amended by the second house.

The Chair ruled the point well taken and the conference committee report out of order.

BUSINESS PENDING

Senate File 461

The Senate resumed consideration of Senate File 461 and amendment S—3571 to pages 1 through 7 and to the title page of the bill, previously deferred.

Senator Murphy withdrew amendment S—3631 filed by him on April 3, 1985 to amendment S—3571.

Senator Holden withdrew amendment S—3571.

With the withdrawal of amendment S—3571, the Chair ruled that amendments S—3337, S—3554, S—3568 and S—3601 ruled out of order on April 2, 1985, were now eligible for consideration.

Senator Gentleman offered amendment S—3601 filed by her on April 2, 1985, to strike everything after the enacting clause and to the title page of the bill.

Senator Gentleman asked and received unanimous consent that further action on amendment S—3601 be deferred.

Senator Bruner offered amendment S—3568 filed by Senators Bruner, et al., on April 1, 1985, to pages 3, 4, 6 and 7 of the bill and moved its adoption.

Amendment S—3568 was adopted by a voice vote.

Senator Murphy offered amendment S—3554 filed by Senators Murphy, et al., on March 28, 1985, to pages 3 through 6 of the bill and moved its adoption.

Amendment S—3554 was adopted by a voice vote.

With the adoption of amendment S—3568, the Chair ruled amendment S—3601 by Senator Gentleman to strike everything after the enacting clause and to the title page of the bill, previously deferred, out of order.

Senator Bruner offered amendment S—3337 filed by him on March 18, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3337 was adopted by a voice vote.

Senator Hall offered amendment S—3557 filed by him on March 29, 1985, to page 7 of the bill.

Senator Hall asked and received unanimous consent that further action on amendment S—3557 be deferred.

Senator Gentleman asked and received unanimous consent to withdraw amendment S—3534 filed by Senators Gentleman, et al., on March 27, 1985, to page 7 of the bill.

With the withdrawal of amendment S—3534, the Chair ruled amendment S—3679 filed by Senator Murphy on April 9, 1985, to amendment S—3534, out of order.

Senator Murphy offered amendment S—3691 filed by Senators Murphy, et al., from the floor to page 7 of the bill and moved its adoption.

Amendment S—3691 was adopted by a voice vote.

With the adoption of amendment S—3691, the Chair ruled amendment S—3557 filed by Senator Hall to page 7 of the bill, previously deferred, out of order.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 461) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gentleman	Gettings	Gronstal	Hall
Hannon	Hester	Horn	Hultman .
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rodgers	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 12:

Corning	Dieleman	Drake	Goodwin
Holden	Holt	Jensen	Rife
Ritsema	Taylor	Vande Hoef	Waldstein

Absent or not voting, 2:

Gratias	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 Hutchins asked and received unanimous consent that Senate File 461 be immediately messaged to the House.

BUSINESS PENDING**Senate File 473**

The Senate resumed consideration of Senate File 473 and amendments S—3668, S—3494 and S—3567, previously deferred.

Senator Small asked and received unanimous consent to withdraw amendment S—3682 filed by Senators Small and Ritsema from the floor to amendment S—3668.

Senator Carr offered amendment S—3681 filed by him from the floor to amendment S—3668 and moved its adoption.

Amendment S—3681 was adopted by a voice vote.

Senator Colton took the chair at 4:40 p.m.

Senator Carr offered amendment S—3680 filed by him from the floor to amendment S—3668 and moved its adoption.

Amendment S—3680 was adopted by a voice vote.

Senator Murphy offered amendment S—3672 filed by him on April 9, 1985, to amendment S—3668 and moved its adoption.

Amendment S—3672 was adopted by a voice vote.

Senator Gentleman offered amendment S—3684 filed by her from the floor to amendment S—3668 and moved its adoption.

Amendment S—3684 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on Senate File 473 and amendments S—3668 as amended, S—3494 and S—3567 be deferred.

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

The Senate resumed session, President Anderson presiding.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 37, a resolution to suspend the joint rules to allow the consideration of a specific Conference Committee report.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Junkins, Hutchins, Hultman, Gettings, Kinley and Jensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 37, by Committee on Rules and Administration, a resolution to suspend the Joint Rules to allow the consideration of a specific Conference Committee Report.

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 46 present, 4 absent and a quorum present.

BUSINESS PENDING

Senate File 473

The Senate resumed consideration of Senate File 473 and amendments S—3668 as amended, S—3494 and S—3567, previously deferred.

Senator Carr moved the adoption of amendment S—3668 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3668 as amended, the Chair ruled the following amendments out of order:

S—3494 by Senator Gentleman to pages 1 through 4 of the bill, previously deferred.

S—3462 filed by Senators Dieleman and Rife on March 22, 1985, to page 4 of the bill.

S—3660 filed by Senator Murphy on April 8, 1985, to page 2 and to the title page of the bill.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 473** and amendment S—3567 be deferred.

CONSIDERATION OF RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for immediate consideration **Senate Concurrent Resolution 37**.

Senate Concurrent Resolution 37

On motion of Senator Junkins, **Senate Concurrent Resolution 37**, a resolution to suspend the Joint Rules to allow the consideration of a specific Conference Committee Report, was taken up for consideration.

Senator Junkins moved the adoption of **Senate Concurrent Resolution 37**.

A non record roll call was requested.

The ayes were 30, nays 17.

The motion prevailed and the resolution was adopted.

Senator Junkins asked and received unanimous consent that **Senate Concurrent Resolution 37** be immediately messaged to the House.

BUSINESS PENDING

Senate File 473

The Senate resumed consideration of **Senate File 473** and amendment S—3567, previously deferred.

Senator Waldstein moved the adoption of amendment S—3567 to page 3 of the bill, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—3548 filed by Senators Murphy and Palmer on March 28, 1985, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3548 was adopted by a voice vote.

Senator Colton took the chair at 5:37 p.m.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 473** be deferred.

President Anderson took the chair at 5:58 p.m.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 554, a bill for an act relating to security interests in farm products and providing penalties.

This bill was read first time and referred to the committee **Agriculture**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 36, by Committee on Human Resources, a resolution creating an interim study committee to review the impact of requiring the child support recovery unit within the department of human services to function as a statewide child and spousal support collection agency for the receipt and distribution of all temporary and permanent support payments.

Read first time and placed on calendar.

REQUEST FOR UNANIMOUS CONSENT
(House File 554)

Senator Hutchins asked and received unanimous consent that **House File 554** be **passed on file** rather than referred to the committee on Agriculture.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 9, 1985, 10:56 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Vande Hoef and Waldstein.

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; reported House Files 692 and 741 to the Senate calendar.

Adjourned: 11:09 a.m.

COMMERCE

Convened: April 9, 1985, 8:07 a.m..

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Palmer, Priebe and Tieden.

Members Absent: Nystrom.

Committee Business: Assigned bills to subcommittees; reported House File 196 as amended to the Senate calendar.

Adjourned: 8:35 a.m.

EDUCATION

Convened: April 9, 1985, 2:40 p.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy and Taylor.

Members Absent: Wells (excused).

Committee Business: Distributed report on School Finance Data.

Adjourned: 3:45 p.m.

JUDICIARY

Convened: April 9, 1985, 11:20 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved concurrent resolution relating to liability of social hosts as a committee resolution; reported House Files 526, 575, 751 and 128 (as amended) to the Senate calendar.

Adjourned: 12:00 noon.

LABOR AND INDUSTRIAL RELATIONS

Convened: April 9, 1985, 11:00 a.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported House Files 359, 173 and 501 to the Senate calendar.

Adjourned: 11:15 a.m.

LOCAL GOVERNMENT

Convened: April 9, 1985, 11:15 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells (arrived 11:30 a.m.).

Members Absent: none.

Committee Business: Assigned bills to subcommittees; reported House Files 150, 670, 255 and 569 to the Senate calendar.

Adjourned: 11:31 a.m.

STATE GOVERNMENT

Convened: April 9, 1985, 2:55 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Coleman, Corning, Drake, Horn, C. Miller and Rife.

Members Absent: Bruner, Gentleman, Mann, Schwengels (excused) and Welsh.

Committee Business: Assigned bills to subcommittees; reported House File 660 to the Senate calendar.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: April 9, 1985, 2:35 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Kinley and Nystrom.

Members Absent: A. Miller.

Committee Business: Assigned bills to subcommittees; reported House Files 366, 711, and 572 (as amended) to the Senate calendar.

Adjourned: 2:45 p.m.

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: HOUSE FILE 703, a bill for an act creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Deluhery, Gronstal, Holden, Jensen, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 2: Hutchins and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3688.

Final Vote: Ayes, 8: Kinley, Deluhery, Gronstal, Holden, Jensen, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 2: Hutchins and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 36, a concurrent resolution creating an interim study committee to review the impact of requiring the child support recovery unit within the department of human services to function as a statewide child and spousal support collection agency for the receipt and distribution of all temporary and permanent support payments.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Wells, Bruner, Gentleman, Taylor, Vande Hoef, C. Miller, Murphy, Hannon, Carr and Coleman. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 35, a bill for an act making changes in the statutes relating to marriage.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Wells, Bruner, Carr, Coleman, Hannon, Murphy, C. Miller, Gentleman, Vande Hoef and Taylor. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 160, a bill for an act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Wells, Bruner, Carr, Coleman, Hannon, Murphy, C. Miller, Gentleman, Vande Hoef and Taylor. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 244, a bill for an act relating to programs relating to substance abuse.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Wells, Bruner, Gentleman, Coleman, Taylor, Murphy, C. Miller, Vande Hoef, Carr and Hannon. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 379, a bill for an act relating to rules for diabetes education programs.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Wells, Bruner, Gentleman, Taylor, Murphy, C. Miller, Vande Hoef, Carr, Hannon and Coleman. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 451, a bill for an act relating to child protection and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3692.

Final Vote: Ayes, 9: Wells, Bruner, Gentleman, Hannon, C. Miller, Murphy, Vande Hoef, Carr and Taylor. Nays, none. Voting present, 1: Coleman. Absent, 2: Gratias and Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 742, a bill for an act relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Wells, Bruner, Carr, Coleman, Hannon, Murphy, C. Miller, Gentleman, Vande Hoef and Taylor. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 453, a bill for an act relating to hunter course requirements in applying for a hunting license.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hall, Priebe, Goodwin, Hannon, Hester, Husak, Neighbour and Tieden. Nays, none. Absent or not voting, 4: Doyle, Gratias, Rodgers and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 497, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hall, Priebe, Goodwin, Hannon, Hester, Husak, Neighbour and Tieden. Nays, none. Absent or not voting, 4: Doyle, Gratias, Rodgers and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 540, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3696.

Final Vote: Ayes, 8: Hall, Priebe, Goodwin, Hannon, Hester, Husak, Neighbour and Tieden. Nays, none. Absent or not voting, 4: Doyle, Gratias, Rodgers and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 626, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3695.

Final Vote: Ayes, 8: Hall, Priebe, Goodwin, Hannon, Hester, Husak, Neighbour and Tieden. Nays, none. Absent or not voting, 4: Doyle, Gratias, Rodgers and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 466, a bill for an act to establish a program for the coordination of media services at the capitol complex in the department of general services.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Gentleman, C. Miller, Rife and Welsh. Nays, 1: Horn. Absent or not voting, 3: Nystrom, Mann and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 677, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Dieleman, Bruner, Coleman, Corning, Gentleman, Horn, C. Miller and Rife. Nays, 1: Drake. Absent or not voting, 4: Nystrom, Mann, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 736, a bill for an act to include a physician's assistant on the board of medical examiners.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Horn, C. Miller, Rife and Welsh. Nays, 1: Gentleman. Absent or not voting, 3: Nystrom, Mann and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3680	S.F.	473	Bob Carr
S-3681	S.F.	473	Bob Carr
S-3682	S.F.	473	Douglas Ritsema Arthur A. Small, Jr.
S-3683	H.F.	494	Arne Waldstein
S-3684	S.F.	473	Julia Gentleman
S-3685	H.F.	642	Joe Welsh
S-3686	S.F.	510	Joe Welsh
S-3687	H.F.	498	John Neighbour
S-3688	H.F.	740	Commerce
S-3689	S.F.	242	Doug Ritsema
S-3690	S.F.	434	Doug Ritsema
S-3691	S.F.	461	Larry Murphy Edgar Holden Calvin Hultman Charles Bruner
S-3692	H.F.	451	Human Resources
S-3693	H.F.	618	Alvin V. Miller Richard F. Drake Donald V. Doyle
S-3694	H.F.	642	Joe Welsh
S-3695	H.F.	626	Natural Resources
S-3696	H.F.	540	Natural Resources
S-3697	S.F.	549	Arthur A. Small, Jr.
S-3698	S.F.	462	Michael Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Thursday, April 11, 1985.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 11, 1985

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

Prayer was offered by Father Richard Kuhn, pastor of the Sacred Heart Church, Oelwein, Iowa.

The Journal of Wednesday, April 10, 1985, was approved.

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.

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

The Senate resumed session, President Anderson presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 1985, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 37, a resolution providing for a suspension of the Joint Rules to consider the conference committee report filed to Senate File 395.

WITHDRAWN

Senator Doyle asked and received unanimous consent that Senate File 534 be withdrawn from further consideration of the Senate.

QUORUM CALL

Senator Hutchins 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
(Ways and Means Calendar)****Senate File 13**

On motion of Senator Taylor, Senate File 13, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—3192 filed by the committee on Ways and Means on March 5, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3192 was adopted by a voice vote.

With the adoption of amendment S—3192, the Chair ruled amendment S—3105 filed by Senator Taylor on February 4, 1985, to page 1 of the bill, out of order.

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. 13) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 4:

Gentleman	Miller, C.P.	Murphy	Ritsema
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Absent or not voting, 3:

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

CONFERENCE COMMITTEE REPORT CONSIDERED
(Senate File 395)

Senator Hutchins asked and received unanimous consent to take up the conference committee report on Senate File 395.

Senate File 395

Senator Palmer called up the conference committee report on Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

Senator Horn asked unanimous consent that action on the conference committee report be deferred for preparation of an amendment.

Senator Hultman rose on a point of parliamentary inquiry to question if an amendment to the conference committee report was germane.

The Chair advised that it was not admissible for an amendment to be debated regardless of germaneness.

Senator Horn raised the point of order that pursuant to Senate Concurrent Resolution 37 adopted by the Senate and House, the joint rules had been suspended and the conference committee report was amendable.

The Chair ruled the point not well taken.

Senator Coleman took the chair at 11:32 a.m.

Senator Palmer moved the adoption of the conference committee report.

A record roll call was requested.

On the question "Shall the conference committee report be adopted?" (S.F. 395) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Corning
Deluhery	Drake	Gettings	Goodwin
Gratias	Gronstal	Holt	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A. V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rodgers	Small	Soorholtz	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 18:

Carr	Coleman	Colton	Dieleman
Doyle	Gentleman	Hall	Hannon
Hester	Holden	Horn	Kinley
Miller, C.P.	Neighbour	Rife	Ritsema
Taylor	Tieden		

Absent or not voting, 1:

Schwengels

The motion prevailed and the conference committee report and the recommendations and amendments contained therein was adopted.

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?" (S.F. 395) the vote was:

Ayes, 31:

Boswell	Brown	Corning	Deluhery
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Holt	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rodgers	Small	Soorholtz	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 18:

Bruner	Carr	Coleman	Colton
Dieleman	Gentleman	Hall	Hannon
Hester	Holden	Horn	Kinley
Miller, C.P.	Neighbour	Rife	Ritsema
Taylor	Tieden		

Absent or not voting, 1:

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 Senate File 395 be immediately messaged to the House.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:32 p.m., until 3:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: April 10, 1985, 10:34 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Schwengels (excused).

Committee Business: Approved LSB 1697S as a committee bill; reported House File 642 to the Senate calendar and reported House File 292 as amended to the Senate calendar.

Adjourned: 11:14 a.m.

COMMERCE

Convened: April 10, 1985, 1:36 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Palmer, Priebe and Tieden.

Members Absent: Hutchins and Nystrom.

Committee Business: Assigned House File 705 to a subcommittee; House File 471 failed recommendation for passage; reported House Files 703 and 740 to the Senate calendar.

Adjourned: 1:55 p.m.

EDUCATION

Convened: April 11, 1985, 9:45 a.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: none.

Committee Business: Debated House Files 210, 450 and 639.

Adjourned: 10:00 a.m.

ENERGY AND ENVIRONMENT

Convened: April 10, 1985, 8:05 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, Carr, Gronstal, A. Miller, Hultman, Rife and Soorholtz.

Members Absent: none.

Committee Business: Reported House Files 341, 649, 750, 728 and 709 to the Senate calendar.

Adjourned: 8:25 a.m.

HUMAN RESOURCES

Convened: April 10, 1985, 1:31 p.m.

Members Present: Wells, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Hannon, Taylor, Vande Hoef, C. Miller, Murphy and Coleman.

Members Absent: Readinger and Gratias (excused).

Committee Business: Assigned House File 742 to a subcommittee; reported House Files 160, 379, 35, 244 and 742 and Senate File 541 to the Senate calendar; approved SSB 364 as a committee bill.

Adjourned: 2:10 p.m.

NATURAL RESOURCES

Convened: April 10, 1985, 8:03 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Goodwin, Hannon, Husak, Hester, Neighbour and Tieden.

Members Absent: Schwengels, Ranking Member (excused); Rodgers, Gratias (excused) and Doyle.

Committee Business: Reported House Files 453 and 497 to the Senate calendar; reported House Files 540 and 626 as amended to the Senate calendar.

Adjourned: 9:55 a.m.

RULES AND ADMINISTRATION

Convened: April 10, 1985, 4:55 p.m.

Members Present: Junkins, Chair; Hutchins, Vice Chair; Hultman, Ranking Member; Gettings, Kinley and Jensen.

Members Absent: none.

Committee Business: Approved a concurrent resolution to suspend the joint rules as a committee resolution.

Adjourned: 4:57 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 11, 1985, 10:23 a.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Boswell, Doyle, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein.

Members Absent: Hutchins and Brown.

Committee Business: Reported House File 676 to the Senate calendar.

Adjourned: 10:30 a.m.

STATE GOVERNMENT

Convened: April 10, 1985, 2:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Corning, Drake, Gentleman, Horn, C. Miller, Rife and Welsh.

Members Absent: Nystrom, Ranking Member; Mann and Schwengels (excused).

Committee Business: Reported House Files 677, 466 and 736 to the Senate calendar.

Adjourned: 3:03 p.m.

WAYS AND MEANS

Convened: April 10, 1985, 11:15 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner (arrived 11:45 a.m.), Dieleman, Gronstal, Holden, Holt, Readinger and Soorholtz.

Members Absent: Mann, Gratias (excused) and Rodgers (excused).

Committee Business: Approved Senate File 115 as amended and ordered redrafted as a committee bill and approved SSB 374 as a committee bill.

Adjourned: 11:50 a.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 461, the following technical corrections were made:

1. Page 3, line 8, "514E.6" was changed to "514E.5".
2. Page 4, line 3, "514E.6" was changed to "514E.5".
3. Page 4, line 28, "514E.6" was changed to "514E.5".

K. MARIE THAYER
Secretary of the Senate

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 11th day of April, 1985:

Senate File 261.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 210, a bill for an act relating to the weighting per pupil for shared programs of school districts.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 639, a bill for an act relating to the presence and removal of asbestos in public school buildings.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Brown, Horn, Gratias, Colton, Corning, Lind, Hannon, Murphy, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 541, a bill for an act relating to adoption and termination of parental rights and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Wells, Bruner, Gentleman, Hannon, Coleman, Murphy, Vande Hoef, C. Miller, Carr and Taylor. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 676, a bill for an act relating to the establishment of an export trade division within the Iowa development commission.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Small, Rodgers, Rife, Boswell, Doyle, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Brown and Hutchins.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 563 (SSB 374), a bill for an act to allow the seller of farmland to a beginning farmer to exclude the income or capital gain if certain conditions are met and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman and Soorholtz. Nays, 4: Gronstal, Holden, Holt and Readinger. Absent or not voting, 3: Gratias, Mann and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which division S—3475B to Senate File 462 was adopted by the Senate on April 9, 1985.

JOE BROWN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 13 passed the Senate on April 11, 1985.

BILL HUTCHINS

BILL ASSIGNED TO COMMITTEE

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

H.F. 730 State Government

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery on Wednesday, April 10, 1985:

Sixty senior students from Rudd-Rockford-Marble Rock Community School District, Rockford, Iowa, accompanied by Robert Druckrey. Senator Gratias.

The Chair welcomed the following visitors who were present in the Senate gallery on April 11, 1985:

Fifty-two senior students from Belle Plaine Community School District, Belle Plaine, Iowa, accompanied by Randy Northrop. Senator Husak.

Twenty-five senior students from Rockwell-Swaledale Community School, Rockwell, Iowa, accompanied by Jim Fredrickson. Senator Gratias.

Thirty-four sixth and seventh grade students from Sentral of Fenton School, Fenton, Iowa, accompanied by their advisors, including former Representative Carl Kiilsholm, and teacher Mrs. Brace. Senator Priebe.

Forty-six seventh grade students from the Manson Community School District, Manson, Iowa, accompanied by Gary Mays and Mike Jepson. Senator Waldstein.

AMENDMENTS FILED

S—3699	H.F.	523	James D. Wells
S—3700	S.F.	348	Leonard Boswell
S—3701	S.F.	549	Arthur A. Small, Jr.
S—3702	H.F.	451	Larry Murphy
S—3703	S.F.	473	Ray Taylor
S—3704	S.F.	562	Edgar H. Holden
			Julia Gentleman
			Beverly A. Hannon
			Arthur A. Small, Jr.
			James D. Wells
S—3705	S.F.	562	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 4:25 p.m., Senator Colton presiding.

INTRODUCTION OF BILLS

Senate File 563, by Committee on Ways and Means, a bill for an act to allow the seller of farmland to a beginning farmer to exclude the income or capital gain if certain conditions are met and providing an effective date.

Read first time and placed on Ways and Means calendar.

Senate File 564, by Committee on Ways and Means, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

Read first time and placed on Ways and Means calendar.

QUORUM CALL

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

The vote revealed 48 present, 2 absent and a quorum present.

President Anderson took the chair at 4:37 p.m.

REQUEST FOR UNANIMOUS CONSENT (Governor's Appointee)

Senator Hutchins asked and received unanimous consent that Virginia J. Poffenberger, Governor's appointee to the Board of Social Work Examiners, be excused from a second introduction before the Senate.

UNFINISHED BUSINESS (Deferred April 10, 1985)

Senate File 473

The Senate resumed consideration of Senate File 473, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness, deferred on April 10, 1985.

Senator Taylor offered amendment S—3703 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3703 be adopted?" (S.F. 473) the vote was:

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

Ayes, 23:

Corning	Drake	Gentleman	Goodwin
Gratias	Hall	Hannon	Hester
Holden	Holt	Hultman	Jensen
Lind	Neighbour	Nystrom	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 24:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Gettings	Gronstal	Horn	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Rodgers	Small	Wells	Welsh

Absent or not voting, 3:

Deluhery	Mann	Schwengels
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Amendment S—3703 lost.

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. 473) the vote was:

Ayes, 32:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Gronstal
Hester	Horn	Husak	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rife	Rodgers
Soorholtz	Taylor	Wells	Welsh

Nays, 16:

Corning	Gentleman	Goodwin	Gratias
Hall	Hannon	Holden	Holt
Hultman	Jensen	Kinley	Readinger
Ritzema	Small	Vande Hoef	Waldstein

Absent or not voting, 2:

Schwengels	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.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 473 passed the Senate on April 11, 1985.

RAY TAYLOR

Senator Hutchins asked unanimous consent that Senate File 473 be immediately messaged to the House.

The Chair stated that a motion to reconsider on Senate File 473 had been filed.

Senator Hutchins withdrew his request to immediately message Senate File 473.

Senator Carr filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 473 passed the Senate on April 11, 1985.

Action on Senator Carr's motion to reconsider was temporarily deferred.

Senator Taylor withdrew his motion to reconsider Senate File 473.

Senator Carr withdrew his motion to reconsider Senate File 473, previously deferred.

Senator Hutchins asked and received unanimous consent that Senate File 473 be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred April 10, 1985)

Senate File 348

The Senate resumed consideration of Senate File 348, a bill for an act relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties, deferred April 10, 1985.

Senator Boswell offered amendment S—3700 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3700 was adopted by a voice vote.

With the adoption of amendment S—3700, the Chair ruled amendment S—3569 filed by Senator Boswell on April 1, 1985, to pages 1 and 2 of the bill, out of order.

Senator Boswell asked and received unanimous consent that House File 554 be substituted for Senate File 348.

Senator Boswell asked and received unanimous consent that further action on House File 554 be deferred.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 104

On motion of Senator Priebe, Senate File 104, a bill for an act providing for the payment of property taxes in installments by certain taxpayers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—3193 filed by the committee on Ways and Means on March 5, 1985, to page 1 of the bill.

Senator Ritsema asked and received unanimous consent that further action on amendment S—3193 be deferred.

Senator Ritsema offered amendment S—3268 filed by him on March 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3268 was adopted by a voice vote.

With the adoption of amendment S—3268, the Chair ruled amendment S—3193 to page 1 of the bill, previously deferred, out of order.

Senator Taylor offered amendment S—3207 filed by Senators Taylor, et al., on March 6, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3207 was adopted by a voice vote.

Senator Mann offered amendment S—3432 filed by him on March 20, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3432 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. 104) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Rife	Small	Soorholtz
Taylor	Tiedens	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 8:

Gentleman	Goodwin	Gratias	Holden
Jensen	Lind	Neighbour	Ritsema

Absent or not voting, 4:

Kinley	Nystrom	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 242.

Senate File 242

On motion of Senator Taylor, Senate File 242, a bill for an act authorizing a capitol restoration checkoff and a state historical building checkoff from individual or joint income tax returns, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema offered amendment S—3689 filed by him on April 10, 1985, to strike everything after the enacting clause of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 27.

Amendment S—3689 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the remainder of the day and April 12, 1985 on request of Senator Hutchins.

BUSINESS PENDING

Senate File 242

The Senate resumed consideration of Senate File 242.

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. 242) the vote was:

Ayes, 27:

Boswell	Brown	Bruner	Carr
Colton	Dieleman	Doyle	Drake
Gentleman	Gettings	Gronstal	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Miller, A.V.	Miller, C.P.	Palmer
Readinger	Small	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, 17:

Coleman	Corning	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Lind	Murphy	Neighbour
Priebe	Rife	Ritsema	Tieden
Waldstein			

Absent or not voting, 6:

Deluhery	Kinley	Mann	Nystrom
Rodgers	Schwengels		

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 Welsh asked and received unanimous consent that Senate File 500 be referred from the Unfinished Business Calendar to the committee on State Government.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 549.

Senate File 549

On motion of Senator Small, Senate File 549, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in the Iowa venture capital fund and the earnings on the proceeds prior to investment to be used as prizes, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Small offered amendment S—3577 filed by him on April 1, 1985, to strike everything after the enacting clause and to the title page of the bill.

Senator Small offered amendment S—3697 filed by him on April 10, 1985, to amendment S—3577 and moved its adoption.

Amendment S—3697 was adopted by a voice vote.

Senator Small offered amendment S—3701 filed by him from the floor to amendment S—3577 and moved its adoption.

Amendment S—3701 was adopted by a voice vote.

Senator Small moved the adoption of amendment S—3577 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?" (S.F. 549) the vote was:

Ayes, 29:

Brown	Bruner	Carr	Colton
Doyle	Drake	Gentleman	Gettings
Gronstal	Hall	Horn	Husak
Hutchins	Junkins	Lind	Mann
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Rife	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 13:

Boswell	Coleman	Corning	Dieleman
Goodwin	Gratias	Hannon	Hester
Holden	Jensen	Neighbour	Ritsema
Vande Hoef			

Absent or not voting, 8:

DeLuhery
Miller, A.V.

Holt
Nystrom

Hultman
Rodgers

Kinley
Schwengels

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

Senator Hutchins asked and received unanimous consent that **Senate File 549** be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the remainder of the day on request of Senator Holden.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 404**.

Senate File 404

On motion of Senator Priebe, **Senate File 404**, a bill for an act relating to drainage and drainage districts, was taken up for consideration.

Senator Priebe offered amendment S—3706 filed by Senators Priebe, et al., from the floor to pages 1, 2, 3, 5 and 6 of the bill and moved its adoption.

Amendment S—3706 was adopted by a voice vote.

Senator Waldstein withdrew amendment S—3564 filed by him on April 1, 1985, to page 1 of the bill.

Senator Priebe asked and received unanimous consent that **House File 678** be substituted for **Senate File 404** as amended.

Senator Priebe asked and received unanimous consent that further action on **House File 678** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 491.

Senate File 491

On motion of Senator Hannon, Senate File 491, a bill for an act relating to merged area hospitals, was taken up for consideration.

Senator Hannon offered amendment S—3678 filed by her on April 9, 1985, to pages 1, 2 and 5 of the bill and moved its adoption.

Amendment S—3678 was adopted by a voice vote.

Senator Hultman withdrew amendment S—3666 filed by him on April 9, 1985, to page 2 of the bill.

Senator Hannon asked and received unanimous consent that House File 746 be substituted for Senate File 491 as amended.

Senator Hannon asked and received unanimous consent that further action on House File 746 be deferred.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 753, a bill for an act relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date.

This bill was read first time and passed on file.

APPENDIX

COMMUNICATION

April 10, 1985

**Ms. K. Marie Thayer
Secretary of the Senate
Statehouse
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 9 claims of a general nature. This supplements our filing of January 2, 1985.

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

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims Subcommittee of the Senate Appropriations Committee.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 748, a bill for an act relating to the financial requirements of grain dealers.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: HOUSE FILE 292, a bill for an act relating to the requirements that must be met for and the identification of self-liquidating and revenue producing buildings and facilities to be constructed at board of regents institutions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3707.

Final Vote: Ayes, 17: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 450, a bill for an act to establish a board of education examiners, to prescribe its duties, and to make appropriations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3708.

Final Vote: Ayes, 6: Brown, Horn, Colton, Hannon, Murphy and Wells. Nays, 4: Gratias, Corning, Lind and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: HOUSE FILE 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3709.

Final Vote: Ayes, 10: Bruner, Colton, Brown, Carr, Gronstal, A. Miller, Corning, Hultman, Rife and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 726, a bill for an act relating to joint exercise of powers to finance hydroelectric power facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Bruner, Colton, Carr, Gronstal, A. Miller, Corning, Hultman and Soorholtz. Nays, 1: Rife. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 700, a bill for an act relating to the endangering of certain persons and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Deluhery, Dieleman, Drake, Holt, Horn, Small and Taylor. Nays, 5: Ritsema, Carr, Coleman, Gentleman and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 724, a bill for an act requiring a separate award of real estate taxes, personal property taxes and special assessments to the county treasurer by the compensation commission as damages in condemnation.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 729, a bill for an act relating to certain tax levies of political subdivisions and area schools.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3712.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 564, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann and Readinger. Nays, none. Absent or not voting, 2: Rodgers and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: April 11, 1985, 9:45 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins, Palmer (arrived 9:50 a.m.), Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Approved LSB 6095 as a committee bill and reported House File 748 to the Senate calendar.

Adjourned: 10:08 a.m.

ENERGY AND ENVIRONMENT

Convened: April 11, 1985, 1:45 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown (arrived 2:15 p.m.), Carr, Gronstal, A. Miller, Hultman, Rife and Soorholtz.

Members Absent: none.

Committee Business: Reported House Files 726 and 643 (as amended) to the Senate calendar.

Adjourned: 2:35 p.m.

WAYS AND MEANS**Convened:** April 11, 1985, 9:20 a.m.**Members Present:** Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratiis, Gronstal, Holden, Holt, Mann, Readinger, Rodgers (arrived 9:30 a.m.) and Soorholtz (arrived 9:38 a.m.).**Members Absent:** none.**Committee Business:** Final approval of Senate File 115 as amended as a committee bill; amended and discussed LSB 6097S.**Adjourned:** 9:40 a.m.**AMENDMENTS FILED**

S-3706	S.F.	404	Berl E. Priebe Arne Waldstein Jack W. Hester
S-3707	H.F.	292	Appropriations
S-3708	H.F.	450	Education
S-3709	H.F.	643	Energy & Environment
S-3710	S.F.	560	John W. Jensen Michael E. Gronstal
S-3711	S.F.	562	Thomas Mann, Jr.
S-3712	H.F.	729	Local Government
S-3713	H.F.	678	Arne Waldstein
S-3714	S.F.	562	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:25 p.m., until 9:00 a.m., Friday, April 12, 1985.

JOURNAL OF THE SENATE

EIGHTY-NINTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 12, 1985

The Senate met in regular session at 9:03 a.m., Senator Coleman presiding.

Prayer was offered by Father Michael Phillips, pastor of the St. Paul's Catholic Church, Burlington, Iowa.

The Journal of Thursday, April 11, 1985, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 589, a bill for an act relating to fees collected by county officers.

This bill was read first time and passed on file.

House File 619, a bill for an act relating to the expenditure of moneys from the loan reserve account of the Iowa college aid commission and providing an effective date for the Act.

This bill was read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 38, by Committee on Agriculture, a resolution requesting an interim study committee to examine the exemption of living expenses from statutory liens.

Read first time and placed on calendar.

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.

President pro tempore Rodgers took the chair at 10:55 a.m.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 427.

Senate File 427

On motion of Senator Corning, Senate File 427, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education, with report of committee recommending passage, was taken up for consideration.

Senator Corning offered amendment S—3595 filed by her on April 2, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3595 was adopted by a voice vote.

Senator Corning asked and received unanimous consent that **House File 648** be substituted for **Senate File 427** as amended.

Senator Hutchins asked and received unanimous consent that **House File 648** be referred to the committee on **Education**.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Coleman called up the appointment of David L. Clemens as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 26, 1985, and found on page 1059 of the Senate Journal.

Senator Coleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Schwengels	Wells
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The appointee having received a two-thirds was declared to have been confirmed by the Senate.

BILL REFERRED TO COMMITTEE

Senator Hultman raised the point of order that House File 450 should be referred from the Regular Calendar to the committee on State Government under Senate Rule 38.

Senator Hultman withdrew his point of order.

Senator Hultman asked and received unanimous consent that House File 450 be referred from the Regular Calendar to the committee on State Government and returned to the Senate calendar by 12:00 noon on April 17, 1985.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following appointees on the En Bloc Confirmation Calendar:

State Conservation Commission

John D. Field and Sam Kennedy, III, committee recommendations found on page 1102 of the Senate Journal.

Water, Air and Waste Management Commission

Donna M. Hammitt, Robert W. Schultz, Richard L. Timmerman and Keith E. Uhl, committee recommendations found on page 1102 of the Senate Journal.

Iowa High Technology Council

Varel G. Bailey, Donna Keppy, Robert D. Looft, Becky S. Richardson, Clair L. Scott and Ann L. Shodde, committee recommendations found on page 1102 of the Senate Journal.

Iowa Product Development Corporation

Harry Bookey, Karla J. Fultz and Florine Swanson, committee recommendations found on page 1102 of the Senate Journal.

Small Business Advisory Council

Richard L. Burchett, Doris A. Hansen, Janice M. Johnson, Mary E. Sukup and Darlene J. Coomes, committee recommendations found on page 1102 of the Senate Journal.

Board of Corrections

Mildred E. Elliott and Billie D. Lloyd, committee recommendations found on pages 1102 and 1103 of the Senate Journal.

Campaign Finance Disclosure Commission

Elwin D. Farwell and Jean Robb, committee recommendations found on page 1103 of the Senate Journal.

Iowa Beer and Liquor Control Council

Ann Jorgensen, committee recommendation found on page 1103 of the Senate Journal.

Iowa Housing Finance Authority

Elizabeth Ann Colby, Betty J. Davis and Max McCord, committee recommendations found on page 1103 of the Senate Journal.

State Historical Board

Margaret N. Keyes, Joseph W. Walt and James A. Nepple, committee recommendations found on page 1103 of the Senate Journal.

Iowa Real Estate Commission

James R. Berry, committee recommendation found on page 863 of the Senate Journal.

Commission for the Blind

Russell H. Watt, committee recommendation found on page 1170 of the Senate Journal.

Adjutant General

Warren G. Lawson, committee recommendation found on pages 1186-1187 of the Senate Journal.

Occupational Safety and Health Review Commission

Albert C. Victor, committee recommendation found on pages 1186-1187 of the Senate Journal.

State Foster Care Review Board

Jacqueline Mayfield and Mark Wolraich, committee recommendations found on page 1187 of the Senate Journal.

State Soil Conservation Committee

Oliver J. Emerson, Thomas R. Scott and Clifford S. Stille, committee recommendations found on page 1226 of the Senate Journal.

Iowa Higher Education Loan Authority

James H. Weinman, committee recommendation found on page 1226 of the Senate Journal.

Marilyn Tucker, committee recommendation found on page 1275 of the Senate Journal.

Director of the Iowa Department of Substance Abuse

Mary Helgeson Ellis, committee recommendation found on page 1247 of the Senate Journal.

State Health Facilities Council

Nancy M. Jones, committee recommendation found on page 1248 of the Senate Journal.

State Board of Social Work Examiners

Virginia J. Poffenberger, committee recommendation found on page 1248 of the Senate Journal.

Senator Hutchins moved the appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

- | | | | |
|-----------|--------------|--------------|------------|
| Boswell | Brown | Bruner | Carr |
| Coleman | Colton | Corning | Dieleman |
| Doyle | Drake | Gentleman | Gettings |
| Goodwin | Gratias | Gronstal | Hall |
| Hannon | Hester | Holden | Holt |
| Horn | Hultman | Husak | Hutchins |
| Jensen | Junkins | Kinley | Lind |
| Mann | Miller, A.V. | Miller, C.P. | Murphy |
| Neighbour | Nystrom | Palmer | Priebe |
| Readinger | Rife | Ritsema | Rodgers |
| Soorholtz | Taylor | Tieden | Vande Hoef |
| Waldstein | Wells | | |

Nays, none.

Absent or not voting, 4:

Deluhery

Schwengels

Small

Welsh

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

Senator Welsh took the chair at 11:10 a.m.

MOTION TO RECONSIDER WITHDRAWN

Senate File 13

Senator Hutchins withdrew the motion to reconsider Senate File 13, 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 years and to allow refunds of taxes paid for designated tax years, filed by him on April 11, 1985, and found on page 1317 of the Senate Journal.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 434, 552 and 562.

Senate File 434

On motion of Senator Dieleman, Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that further action on Senate File 434 be deferred.

Senate File 552

On motion of Senator Miller of Des Moines, Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system, was taken up for consideration.

Senator Miller of Des Moines asked and received unanimous consent that further action on Senate File 552 be deferred.

Senate File 562

On motion of Senator Gettings, Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation, was taken up for consideration.

Senator Gettings asked and received unanimous consent that further action on Senate File 562 be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 541.

Senate File 541

On motion of Senator Murphy, Senate File 541, a bill for an act relating to adoption and termination of parental rights and providing penalties, with report of committee on Human Resources recommending passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that further action on Senate File 541 be deferred.

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

The Senate resumed session, Senator Welsh presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 79

Senator Brown called up for consideration Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3667 filed April 9, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Brown moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon 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. 79) the vote was:

Ayes, 32:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gettings	Gratias	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Rodgers	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 14:

Drake	Gentleman	Goodwin	Hester
Holden	Holt	Hultman	Jensen
Readinger	Rife	Ritsema	Small
Soorholtz	Vande Hoef		

Absent or not voting, 4:

Deluhery	Kinley	Priebe	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 Hutchins asked and received unanimous consent that **Senate File 427** be referred to committee on **Education**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 39, by Committee on Judiciary, a resolution relating to runaways.

Read first time and placed on calendar.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 128

JUDICIARY: Mann, Chair; Doyle and Ritsema

House File 150

LOCAL GOVERNMENT: Priebe, Chair; Neighbour and Lind

House File 164

LABOR & INDUSTRIAL RELATIONS: Colton, Chair; Deluhery and Rife

House File 381

LABOR & INDUSTRIAL RELATIONS: Gettings, Chair; Jensen and Deluhery

House File 438

JUDICIARY: Dieleman, Chair; Gentleman and Deluhery

House File 498

LOCAL GOVERNMENT: Neighbour, Chair; C. Miller and Goodwin

House File 501

LABOR & INDUSTRIAL RELATIONS: Deluhery, Chair; Wells and Holden

House File 514

TRANSPORTATION: Drake, Chair; Jensen and Nystrom

House File 575

JUDICIARY: Dieleman, Chair; Drake and Deluhery

House File 610**LOCAL GOVERNMENT: Wells, Chair; A. Miller and Waldstein****House File 635****AGRICULTURE: Boswell, Chair; Husak and Scorcholts****House File 670****LOCAL GOVERNMENT: Neighbour, Chair; C. Miller and Vande Hoef****House File 676****SMALL BUSINESS & ECONOMIC DEVELOPMENT: Readinger, Chair; Rife and Doyle****House File 684****COMMERCE: Kinley, Chair; Palmer and Holden****House File 702****JUDICIARY: Drake, Chair; Dieleman and Holt****House File 705****COMMERCE: Priebe, Chair; Holden and Tieden****House File 707****STATE GOVERNMENT: Carr, Chair; Bruner, Horn; Schwengels and Nystrom****House File 724****LOCAL GOVERNMENT: Wells, Chair; Waldstein and C. Miller****House File 726****ENERGY & ENVIRONMENT: Gronstal, Chair; Corning and Brown**

House File 727

JUDICIARY: Carr, Chair; Ritsema and Doyle

House File 728

ENERGY & ENVIRONMENT: Bruner, Chair; Hultman and Colton

House File 729

LOCAL GOVERNMENT: A. Miller, Chair; Waldstein and Wells

House File 732

JUDICIARY: Mann, Chair; Horn and Hester

House File 733

TRANSPORTATION: Coleman, Chair; Kinley and Nystrom

House File 736

STATE GOVERNMENT: C. Miller, Chair; Dieleman, Carr, Corning and Rife

House File 740

COMMERCE: Jensen, Chair; Holden and Hutchins

House File 741

AGRICULTURE: A. Miller, Chair; Hutchins and Vande Hoef

House File 742

HUMAN RESOURCES: Gentleman, Chair; Carr and C. Miller

House File 744

JUDICIARY: Small, Chair; Hester and Coleman

House File 745

STATE GOVERNMENT: Nystrom, Chair; Mann and Coleman

House File 748

AGRICULTURE: Hutchins, Chair; Palmer and Hester

House File 750

ENERGY & ENVIRONMENT: Bruner, Chair; Hultman and Colton

House File 751

JUDICIARY: Small, Chair; Horn and Taylor

House File 754

STATE GOVERNMENT: Carr, Chair; Nystrom and Mann

REPORTS OF COMMITTEE MEETINGS**JUDICIARY**

Convened: April 11, 1985, 2:40 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved a proposed concurrent resolution relating to runaways; reported House Files 702, 438, 701 and 700 to the Senate calendar.

Adjourned: 4:25 p.m.

LOCAL GOVERNMENT

Convened: April 11, 1985, 2:36 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Reported House File 724 to the Senate calendar without recommendation; discussed and deferred action on House File 610; reported House Files 498 and 729 as amended to the Senate calendar; House File 646 failed recommendation for passage.

Adjourned: 3:34 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 38, a concurrent resolution requesting an interim study committee to examine the exemption of living expenses from statutory liens.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Hutchins, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

Recommendation: AMEND AND DO PASS IN S—3738 (filed April 15, 1985).

Final Vote: Ayes, 7: Brown, Horn, Colton, Corning, Hannon, Murphy and Wells. Nays, 1: Taylor. Absent or not voting, 2: Gratias and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 39, a resolution relating to runaways.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Gentleman, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3717.

Final Vote: Ayes, 9: Doyle, Ritsema, Dieleman, Drake, Gentleman, Hester, Holt, Small and Taylor. Nays, 5: Mann, Carr, Coleman, Deluhery and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 701, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings, waivers of the right to remain silent, juvenile court delinquency dispositions, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, contents of petitions, the receipt of social investigation reports, and transferring guardianships, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3716.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor. Nays, none. Absent or not voting, 2: Coleman and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 702, a bill for an act including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3715.

Final Vote: Ayes, 12: Doyle, Mann, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Horn, Small and Taylor. Nays, 1: Ritsema. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: HOUSE FILE 164, a bill for an act relating to the payment of commissions to commission salespersons and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Mann, Gettings, Jensen, Colton, Holden, Rife and Wells. Nays, none. Absent or not voting, 3: Deluhery, Hultman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Mann, Gettings, Jensen, Colton, Holden, Rife and Wells. Nays, none. Absent or not voting, 3: Deluhery, Hultman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 498, a bill for an act relating to the qualifications of a weed commissioner, deputy weed commissioner or commercial applicator.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3733.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 589, a bill for an act relating to fees collected by county officers.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Waldstein, Goodwin, Hall, Lind, Neighbour, Vande Hoef and Wells. Nays, none. Voting present, 1: C. Miller. Absent, 1: Priebe.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 392, a bill for an act related to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Small, Rife, Boswell, Brown, Doyle, Hutchins, Readinger, Ritsema and Waldstein. Nays, none. Absent or not voting, 3: Rodgers, Neighbour and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 730, a bill for an act relating to the licensure of dietitians and nutritionists.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife 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 753, a bill for an act relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Gentleman, Horn, Mann, C. Miller and Rife. Nays, 1: Welsh. Absent or not voting, 3: Nystrom, Drake and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 514, 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: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 593, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none. Voting present, 2: Doyle and Drake.

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.	589	Local Government
H.F.	619	Education
H.F.	753	State Government

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 12, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 261—Relating to the residence of township officers.

Senate File 531—Relating to guardianships and conservatorships.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty sixth grade students from James Elementary School, Ottumwa, Iowa. Senator Gettings.

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

Fourteen math contest winners from Jefferson and Washington Junior High Schools, Dubuque, Iowa, accompanied by Bill Bridge, Barb Besch, Gary Reid and Debbie Tschiggfrie. Senator Carr.

Fifteen eighth grade students from Sacred Heart School, Boone, Iowa, accompanied by Marilyn O'Brien. Senator Nystrom.

AMENDMENTS FILED

S—3715	H.F.	702	Judiciary
S—3716	H.F.	701	Judiciary
S—3717	H.F.	438	Judiciary
S—3718	S.F.	562	Thomas A. Lind
S—3719	S.F.	281	Berl E. Priebe
S—3720	S.F.	434	William W. Dieleman
S—3721	S.F.	311	Arne Waldstein
S—3722	H.F.	451	Larry Murphy
S—3723	S.F.	564	Charles P. Miller
S—3724	S.F.	434	Calvin O. Hultman
S—3725	S.F.	552	Calvin O. Hultman
S—3726	S.F.	562	Calvin O. Hultman
S—3727	H.F.	677	Richard Vande Hoef
S—3728	H.F.	315	Tom Lind
S—3729	H.F.	571	Milo Colton
S—3730	H.F.	549	Tom Mann, Jr.
S—3731	H.F.	476	Calvin O. Hultman
S—3732	S.F.	562	Richard F. Drake
			Joe J. Welsh
S—3733	H.F.	498	Local Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:52 a.m., until 10:00 a.m., Monday, April 15, 1985.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 15, 1985

The Senate met in regular session at 10:20 a.m., President Anderson presiding.

Prayer was offered by Father Richard Luberti, pastor of the St. Alphonsus Catholic Church, Davenport, Iowa.

The Journal of Friday, April 12, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day and Senator Jensen for the morning on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 1985, adopted the conference committee report and passed Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

ALSO: That the House has on April 12, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 721, a bill for an act relating to the service of process on an individual's spouse at a place other than the individual's dwelling house or usual place of abode.

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

INTRODUCTION OF BILL

Senate Joint Resolution 9, by Committee on Labor and Industrial Relations, a joint resolution to nullify an administrative rule relating to food stamps for strikers.

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 42 present, 8 absent and a quorum present.

BILLS RETURNED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that pursuant to Joint Rule 20, the following bills be returned from the Regular Calendar to committee:

S. F.	30	Natural Resources
S. F.	42	Transportation
S. F.	84	Local Government
S. F.	145	State Government
S. F.	152	Education
S. F.	189	State Government
S. F.	208	Commerce
S. F.	236	State Government
S. F.	272	Education
S. F.	341	Transportation
S. F.	397	Education
S. F.	399	Natural Resources
S. F.	400	Education
S. F.	489	Transportation
S. F.	493	Transportation

S. F.	498	Transportation
S. F.	510	Natural Resources
S. F.	519	Judiciary
S. F.	535	Judiciary
S. F.	554	State Government

Senator Ritsema took the chair at 10:40 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

House File 678

On motion of Senator Priebe, House File 678, a bill for an act relating to drainage and drainage districts, was taken up for consideration.

Senator Waldstein offered amendment S—3713 filed by him on April 11, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3713 was adopted by a voice vote.

Senator Small asked and received unanimous consent that further action on **House File 678** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order **House File 469**.

House File 469

On motion of Senator Colton, House File 469, a bill for an act to require a sufficient number of wells at each sanitary disposal project to adequately monitor ground water quality, 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. 469) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman

Gettings.	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Miller, C.P. Neighbour

Absent or not voting, 2:

Jensen Schwengels

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

WITHDRAWN

Senator Colton asked and received unanimous consent that **Senate File 116** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 618.

House File 618

On motion of Senator Miller of Cerro Gordo, House File 618, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—3693 filed by Senators Miller of Cerro Gordo, et al., on April 10, 1985, to page 1 of the bill.

Senator Mann raised the point of order that amendment S—3693 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3693 out of order.

Senator Mann offered amendment S—3614 filed by him on April 3, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—3614 lost.

Senator Mann raised the point of order that House File 618 should be referred to the committee on Judiciary under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Coleman asked unanimous consent that House File 618 be referred to the committee on Judiciary.

Senator Coleman withdrew his request.

Senator Hultman asked and received unanimous consent that House File 618 and companion Senate File 474 be referred to the committee on Judiciary and returned to the Unfinished Business Calendar by 9:00 a.m., Thursday, April 18, 1985.

Senator Hutchins asked and received unanimous consent to take up out of order House File 124.

House File 124

On motion of Senator Mann, House File 124, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs, 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. 124) the vote was:

Ayes, 47:

Boswell
Coleman

Brown
Colton

Bruner
Corning

Carr
Deluhery

Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Jensen	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.

WITHDRAWN

Senator Mann asked and received unanimous consent that **Senate File 334** be withdrawn from further consideration of the Senate.

Senator Mann asked and received unanimous consent that **Senate Joint Resolution 9** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 308.

House File 308

On motion of Senator Wells, House File 308, a bill for an act relating to clinical privileges of certain licensed practitioners, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—3739 filed by him from the floor to page 1 of the bill.

Senator Wells raised the point of order that amendment S—3739 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3739 in order.

Senator Miller of Des Moines moved the adoption of amendment S—3739.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—3739 lost.

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. 308) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Gratias

Absent or not voting, 4:

Carr	Jensen	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.

Senator Hutchins asked and received unanimous consent to take up out of order House File 338.

House File 338

On motion of Senator Wells, House File 338, a bill for an act relating to the term of office of the labor commissioner, 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. 338) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Dehivery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Hester

Absent or not voting, 6:

Carr	Jensen	Mann	Nystrom
Rodgers	Schwengels		

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 Hutchins, the Senate recessed at 11:58 a.m., until 1:30 p.m.

APPENDIX**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued a certificate of recognition as follows:

To Hazel Dell — Centennial Anniversary of the founding of the United Methodist Church on April 21, 1885. Senator Hester (April 21, 1985).

REPORTS OF COMMITTEE MEETINGS**EDUCATION**

Convened: April 12, 1985, 11:52 a.m.

Members Present: Brown, Chair; Horn, Vice Chair; Colton, Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: Gratias, Ranking Member.

Committee Business: Reported House File 648 to the Senate calendar.

Adjourned: 11:57 a.m.

JUDICIARY

Convened: April 12, 1985, 10:10 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Dieleman, Drake, Hester, Holt, Horn, Gentleman, Small and Taylor.

Members Absent: Deluhery (excused).

Committee Business: Reported House Files 495 and 732 to the Senate calendar.

Adjourned: 10:50 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: April 12, 1985, 9:30 a.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Holden, Rife and Wells.

Members Absent: Deluhery (excused), Hultman and Welsh.

Committee Business: Assigned a bill to a subcommittee; reported Senate Joint Resolution 9 and House Files 381 and 164 to the Senate calendar.

Adjourned: 10:00 a.m.

LOCAL GOVERNMENT

Convened: April 12, 1985, 11:54 a.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Goodwin, Hall, Lind, Neighbour, Vande Hoef and Wells.

Members Absent: Priebe (excused).

Committee Business: Assigned a bill to a subcommittee; reported House File 589 to the Senate calendar.

Adjourned: 12:04 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 12, 1985, 9:27 a.m.

Members Present: Small, Chair; Rife, Ranking Member; Boswell, Brown, Doyle, Hutchins, Readinger, Ritserma and Waldstein.

Members Absent: Rodgers, Vice Chair; Neighbour and Vande Hoef.

Committee Business: Reported House File 392 to the Senate calendar.

Adjourned: 9:35 a.m.

STATE GOVERNMENT

Convened: April 12, 1985, 11:25 a.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh.

Members Absent: Schwengels (excused).

Committee Business: Reported House Files 753 and 730 to the Senate calendar.

Adjourned: 11:40 a.m.

TRANSPORTATION

Convened: April 12, 1985, 9:15 a.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member (arrived 9:20 a.m.); Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom.

Members Absent: none.

Committee Business: Reported House Files 514 and 593 to the Senate calendar.

Adjourned: 9:25 a.m.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: HOUSE FILE 732, a bill for an act relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3734.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE JOINT RESOLUTION 9, a joint resolution to nullify an administrative rule relating to food stamps for strikers.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 7: Mann, Gettings, Jensen, Holden, Rife, Colton and Wells. Nays, none. Absent or not voting, 3: Deluhery, Hultman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 469 passed the Senate on April 15, 1985.

ARNE WALDSTEIN

MR. PRESIDENT: I move to reconsider the vote by which House File 308 passed the Senate on April 15, 1985.

CHARLES P. MILLER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3739 to House File 308 failed to be adopted by the Senate on April 15, 1985.

CHARLES P. MILLER

PETITIONS

The following petitions favoring legislation to increase appropriations to the Iowa State Transit Assistance Fund to insure continuation of public transit service to Iowans were presented and placed on file by:

Senator Hutchins from eighty-three residents of Crawford County.

Senator Murphy from seventy-seven residents of Fayette County.

Senator Hultman from ninety-six residents of Montgomery County.

Senator Junkins from eighteen residents of Allamakee County.

Senator Welsh from seven hundred seventy residents of Dubuque County.

The following petitions favoring legislation relating to the private instruction received by certain children between the ages of seven and sixteen (Senate File 311) were presented and placed on file by:

Senator Drake from fifty residents of Washington County.

Senator Murphy from twenty-one residents of Fayette County.

The following petitions were presented and placed on file by:

Senator Hannon from one hundred forty-one residents of Dubuque County favoring legislation to include public and non-public teachers in the teacher certification bill.

Senator Junkins from twenty residents of Iowa opposing legislation reducing funding for the Iowa Law Enforcement Academy.

Senator Readinger from nine hundred fourteen residents of Polk and Story Counties favoring the confirmation of Norman Pawlewski as Commissioner of Public Health.

PRESENTATION OF VISITORS

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

Forty senior students from St. Mary's High School, Remsen, Iowa, accompanied by Father Paul Eisele and Sister Delores. Senator Ritsema.

AMENDMENTS FILED

S-3734	H.F.	732	Judiciary
S-3735	S. F.	330	Donald V. Doyle
S-3736	H.F.	549	Tom Mann, Jr.
S-3737	H.F.	702	Donald V. Doyle
S-3738	H.F.	648	Education
S-3739	H.F.	308	Charles P. Miller

AFTERNOON SESSION

The Senate reconvened at 1:41 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 April 11, 1985, passed the following bills in which the concurrence of the Senate is asked:

Senate File 266, a bill for an act relating to veteran preference in public employment and providing an effective date.

Senate File 307, a bill for an act relating to the operation of fire vehicles.

Senate File 375, a bill for an act providing for forms of certain acknowledgments of conveyances of real estate.

Senate File 392, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy.

ALSO: That the House has on April 12, 1985, passed with amendment H-3497 the following bill in which the concurrence of the Senate is asked:

House File 720, a bill for an act relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts and to provide for the appointment of an advisory committee.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 10, by Carr, a resolution deferring the confirmation of an appointee to the state judicial nominating commission.

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 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 378.

House File 378

On motion of Senator Drake, House File 378, a bill for an act exempting road workers from the forty miles per hour minimum speed limit, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Drake offered amendment S—3413 filed by the committee on Transportation on March 20, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3413 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. 378) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Priebe
Readinger	Rife	Ritsema	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Junkins	Kinley	Mann	Palmer
Schwengels	Small		

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 173.

House File 173

On motion of Senator Wells, House File 173, a bill for an act to protect city employees from personnel actions as reprisals for providing information to legislators or public officials or disclosing waste, mismanagement, or violations of law, 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. 173) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Jensen	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Priebe	Readinger	Rife	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hutchins
Rodgers

Junkins
Schwengels

Kinley

Palmer

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 462.

House File 462

On motion of Senator Mann, House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that further action on House File 462 be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 523.

House File 523

On motion of Senator Wells, House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property, with report of committee recommending passage, was taken up for consideration.

Senator Wells offered amendment S—3699 filed by him on April 11, 1985, to pages 1 and 2 of the bill and called for a division: lines 3 through 10 as division S—3699A and lines 11 through 18 as division S—3699B.

Senator Wells moved the adoption of division S—3699A, which motion prevailed by a voice vote.

Senator Wells asked and received unanimous consent that action on division S—3699B be deferred.

Senator Murphy offered amendment S—3582 filed by him on April 1, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3582 was adopted by a voice vote.

Senator Wells moved the adoption of division S—3699B, previously deferred, 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. 523) the vote was:

Ayes, 38:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A. V.	Miller, C. P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Rodgers
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 7:

Corning	Gentleman	Holden	Holt
Ritsema	Small	Tieden	

Absent or not voting, 5:

Bruner	Hester	Junkins	Mann
Schwengels			

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

Senator Hutchins asked and received unanimous consent that **House File 523** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to take up out of order House File 418.

House File 418

On motion of Senator Drake, House File 418, a bill for an act requiring the state department of transportation to accept payment by check of proportional registration fees and assessing

a penalty, 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. 418) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none:

Absent or not voting, 3:

Junkins	Miller, A.V.	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 Hutchins asked and received unanimous consent to take up out of order House File 553.

House File 553

On motion of Senator Drake, House File 553, a bill for an act relating to federal disaster assistance to state and local governments and providing an effective date, 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. 553) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none:

Absent or not voting, 2:

Junkins Schwengels

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)

Senator Hutchins asked and received unanimous consent to take up out of order House File 642.

House File 642

On motion of Senator Welsh, House File 642, a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Welsh withdrew amendment S—3685 filed by him on April 10, 1985, to page 3 of the bill.

Senator Welsh offered amendment S—3694 filed by him on April 10, 1985, to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 12.

Amendment S—3694 was adopted.

Senator Welsh asked and received unanimous consent that further action on **House File 642** be deferred.

BUSINESS PENDING

House File 678

The Senate resumed consideration of House File 678, previously deferred.

Senator Waldstein offered amendment S—3745 filed by Senators Waldstein and Priebe from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3745 was adopted by a voice vote.

Senator Small offered amendment S—3743 filed by him from the floor to page 2 of the bill.

Senator Priebe called for a division of amendment S—3743: lines 3 and 4 as division S—3743A and lines 5 and 6 as division S—3743B.

Senator Small moved the adoption of division S—3743A, which motion prevailed by a voice vote.

Senator Small moved the adoption of division S—3743B.

A non record roll call was requested.

The ayes were 19, nays 26.

Division S—3743B lost.

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

The Senate resumed session, President Anderson presiding.

BUSINESS PENDING

House File 678

The Senate resumed consideration of House File 678.

Senator Hutchins asked and received unanimous consent that further action on **House File 678** be deferred.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Mann called up the appointment of Barbara Binnie as a member of the Board of Parole, automatically placed on the Individual Confirmation Calendar on April 9, 1985, and found on page 1270 of the Senate Journal.

Senator Mann moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

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

Ayes, 34:

Corning	Dieleman	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, 15:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gronstal	Hannon	Horn	Mann
Murphy	Neighbour	Welsh	

Absent or not voting, 1:

Schwengels

The appointee having received a two-thirds vote was declared to have been confirmed by the Senaté.

Senator Jensen called up the appointment of Marlys S. Nielsen as a member of the Iowa Real Estate Commission, placed on the Individual Confirmation Calendar on March 29, 1985, and found on page 920 of the Senate Journal.

Senator Jensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Colton	Doyle
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Voting present, 1:

Neighbour

Absent or not voting, 2:

Holden	Schwengels
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Murphy called up the appointment of John M. Greig as a member of the Board of Regents automatically placed on the Individual Confirmation Calendar on April 4, 1985, and found on page 1226 of the Senate Journal.

Senator Murphy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Carr	Colton
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Absent or not voting, 2:

Holden	Schwengels
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Murphy called up the appointment of James R. Tyler as a member of the Board of Regents automatically placed on the Individual Confirmation Calendar on April 4, 1985, and found on page 1226 of the Senate Journal.

Senator Murphy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 2:

Colton Gronstal

Absent or not voting, 4:

Holden Schwengels Soorholtz Welsh

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Welsh called up the appointment of Jacklyn K. Van Ekeren as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 26, 1985, and found on page 1044 of the Senate Journal.

Senator Welsh moved the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Brown	Bruner	Corning	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 7:

Boswell Carr Coleman Colton
Deluhery Hutchins Priebe

Absent or not voting, 4:

Drake Holden Schwengels Soorholtz

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gettings called up the appointment of Gary L. Huff as a member of the State Board of Speech Pathology and Audiology Examiners, placed on the Individual Confirmation Calendar on March 20, 1985, and found on page 920 of the Senate Journal.

Senator Gettings moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 21:

Corning	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holt	Hultman	Jensen
Lind	Murphy	Nystrom	Readinger
Rife	Ritsema	Taylor	Vande Hoef
Waldstein			

Nays, 24:

Boswell	Brown	Bruner	Carr
Coleman	Colten	Deluhery	Dieleman
Gronstal	Hannon	Horn	Hutchins
Junkins	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Palmer	Priebe	Rodgers
Small	Tieden	Wells	Welsh

Absent or not voting, 5:

Holden	Husak	Kinley	Schwengels
Soorholtz			

The appointee not having received a two-thirds vote was declared to have failed to be confirmed by the Senate.

Senator Hall called up the appointment of Allan T. Thomas as a member of the Water, Air and Waste Management Commission, placed on the Individual Confirmation Calendar on April 4, 1985, and found on page 1225 of the Senate Journal.

Senator Hall moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Holden	Kinley	Neighbour	Schwengels
Soorholtz			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Jensen called up the appointment of Anita E. Seitsinger as a member of the Advisory Investment Board (IPERS), placed on the Individual Confirmation Calendar on April 2, 1985, and found on page 1185 of the Senate Journal.

Senator Jensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Rife	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Holden	Kinley	Neighbour
Readinger	Schwengels	Soorholtz	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Jensen called up the appointment of Donald E. Snyder as a member of the Advisory Investment Board (IPERS), placed on the Individual Confirmation Calendar on April 2, 1985, and found on page 1185 of the Senate Journal.

Senator Jensen moved the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Rife
Ritsema	Rodgers	Small	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Holden	Kinley	Readinger	Schwengels
Soorholtz	Vande Hoef		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gettings called up the appointment of Jeanann Celli as Director of the Iowa State Arts Council, placed on the Individual Confirmation Calendar on March 5, 1985, and found on page 615 of the Senate Journal.

Senator Gettings moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Coleman
Corning	Deluhery	Gentleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, 7:

Carr	Colton	Dieleman	Doyle
Gronstal	Murphy	Welsh	

Absent or not voting, 5:

Drake	Holden	Kinley	Schwengels
Soorholtz			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gettings called up the appointment of Donald J. Meylor as a member of the State Board of Chiropractic Examiners, placed on the Individual Confirmation Calendar on March 20, 1985, and found on page 920 of the Senate Journal.

Senator Gettings moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 36:

Bruner	Carr	Colton	Corning
Deluhery	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Holt	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Taylor	Vande Hoef	Waldstein	Wells

Nays, 8:

Boswell	Brown	Dieleman	Gronstal
Horn	Miller, C.P.	Small	Welsh

Absent or not voting, 6:

Coleman	Holden	Kinley	Schwengels
Soorholtz	Tieden		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Jensen called up the appointment of Kenneth L. Mueller as a member of the State Board of Chiropractic Examiners, placed on the Individual Confirmation Calendar on March 20, 1985, and found on page 920 of the Senate Journal.

Senator Jensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Priebe
Readinger	Ritsema	Rodgers	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Boswell

Absent or not voting, 7:

Holden	Kinley	Neighbour	Palmer
Rife	Schwengels	Soorholtz	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Jensen called up the appointment of Lee A. Dallager as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on April 2, 1985, and found on page 1185 of the Senate Journal.

Senator Jensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Ritsema
Rodgers	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hannon	Holden	Kinley	Rife
Schwengels	Small	Soorholtz	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gettings called up the appointment of Alexa L. Mayner as a member of the State Board of Examiners for Nursing Home Administrators, placed on the Individual Confirmation Calendar on March 22, 1985, and found on page 963 of the Senate Journal.

Senator Gettings moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, C.P.	Murphy	Neighbour	Nystrom
Nystrom	Palmer	Priebe	Readeringer
Ritsema	Rodgers	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 6:

Holden	Kinley	Miller, A.V.	Rife
Schwengels	Soorholtz		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF RESOLUTION

Senator Junkins asked and received unanimous consent to take up for immediate consideration Senate Resolution 10.

Senate Resolution 10

On motion of Senator Carr, Senate Resolution 10, a resolution deferring the confirmation of Flora E. Haker as a member of the state judicial nominating commission, was taken up for consideration.

Senator Carr offered amendment S—3748 filed by him from the floor to page 1 of the resolution and moved its adoption.

Amendment S—3748 was adopted by a voice vote.

Senator Carr moved the adoption of Senate Concurrent Resolution 10, which motion prevailed by a voice vote and the resolution was adopted.

BUSINESS PENDING

House File 678

The Senate resumed consideration of House File 678, previously deferred.

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. 678) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A. V.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Ritsema	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 4:

Deluhery	Gentleman	Miller, C.P.	Small
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Absent or not voting, 6:

Holden	Kinley	Rife	Rodgers
Schwengels	Soorholtz		

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 404** be withdrawn from further consideration of the Senate.

BUSINESS PENDING

House File 642

The Senate resumed consideration of House File 642, previously deferred.

Senator Welsh offered amendment S—3751 filed by Senators Welsh and Hultman from the floor to page 3 of the bill.

Senator Ritsema raised the point of order that amendment S—3751 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3751 out of order.

Senator Hultman asked and received unanimous consent to withdraw amendment S—3747 filed by Senators Welsh and Hultman from the floor to page 3 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. 642) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, 4:

Coleman

Lind

Ritsema

Vande Hoef

Absent or not voting, 8:

Holden

Kinley

Nystrom

Rife

Rodgers

Schwengels

Small

Soorholtz

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 40, by Committee on Ways and Means, a resolution proposing a legislative study of the final report of the tax study committee.

Read first time and placed on Ways and Means calendar.

APPENDIX

SENATE STUDY BILL

SSB 381 Appropriations

Making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE CONCURRENT RESOLUTION 40, a resolution proposing a legislative study of the final report of the tax study committee.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Grattias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Sixty fourth grade students from Menlo Elementary School, Menlo, Iowa. Senator Rodgers.

Twenty-eight eighth grade students from St. John School, Bancroft, Iowa, accompanied by Madeline Summitt, Carol Welp and Gene Meister. Senator Priebe.

AMENDMENTS FILED

S—3740	S.F.	562	Don Gettings
S—3741	H.F.	476	Edgar H. Holden
S—3742	H.F.	450	Beverly A. Hannon

S-3743	H.F.	678	Arthur A. Small, Jr.
S-3744	H.F.	707	William W. Dieleman
S-3745	H.F.	678	Arne Waldstein Berl E. Priebe
S-3746	H.F.	462	Tom Mann, Jr.
S-3747	H.F.	642	Joe Welsh Calvin O. Hultman
S-3748	S.R.	10	Bob Carr
S-3749	S.F.	562	Arthur A. Small, Jr.
S-3750	H.F.	750	Alvin V. Miller Charles Bruner Tom Mann, Jr.
S-3751	H.F.	642	Joe Welsh Calvin O. Hultman
S-3752	S.F.	562	Arthur A. Small, Jr.
S-3753	S.F.	196	Michael E. Gronstal
S-3754	H.F.	571	Julia B. Gentleman David M. Readinger
S-3755	H.F.	740	John W. Jensen Patrick J. Deluhery

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:32 p.m., until 9:00 a.m., Tuesday, April 16, 1985.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 16, 1985

The Senate met in regular session at 9:10 a.m., President Anderson presiding.

Prayer was offered by the Reverend David Troxler, pastor of the First Christian Church, Oskaloosa, Iowa.

The Journal of Monday, April 15, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the remainder of the week and Senator Drake for the morning on request of Senator Hultman; Senator Gettings for the morning and Senator Deluhery for the day on request of Senator Hutchins.

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 12, 1985, passed the following bills in which the concurrence of the House was asked:

Senate File 9, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

Senate File 70, a bill for an act relating to the rights and duties of a person riding a bicycle on the highways, including a penalty.

Senate File 85, a bill for an act relating to the application for and issuance of search warrants.

Senate File 168, a bill for an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits.

Senate File 183, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Senate File 200, a bill for an act relating to the office of the appellate defender.

Senate File 213, a bill for an act relating to the imposition of mandatory minimum sentences.

Senate File 291, a bill for an act relating to the authority of the department of water, air and waste management over used oil.

Senate File 342, a bill for an act relating to the bees by making certain acts unlawful and providing penalties.

Senate File 391, a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards.

Senate File 414, a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

RESOLUTIONS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolutions 31, 35 and 36** be referred from the Regular Calendar to the committee on **Rules and Administration**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 625.

House File 625

On motion of Senator Gratias, House File 625, a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel, 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. 625) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Neighbour	Palmer	Priebe	Rife
Ritsema	Rodgers	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Deluhery	Drake	Gettings	Mann
Murphy	Nystrom	Readinger	Schwengels
Soorholtz			

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

WITHDRAWN

Senator Gratias asked and received unanimous consent that Senate File 512 be withdrawn from further consideration of the Senate.

Senator Hutchins asked and received unanimous consent to take up out of order House File 130.

House File 130

On motion of Senator Gentleman, House File 130, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service, 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. 130) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coléman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Möller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Ritsema	Rodgers	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Rife

Absent or not voting, 7:

Deluhery	Drake	Gettings	Mann
Readinger	Schwengels	Soorholtz	

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

WITHDRAWN

Senator Gentleman asked and received unanimous consent that Senate File 546 be withdrawn from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Readinger for the morning on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 398.

House File 398

On motion of Senator Miller of Des Moines, House File 398, a bill for an act relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—3649 filed by him on April 8, 1985, 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 22, nays 23.

Amendment S—3649 lost.

Senator Miller of Des Moines offered amendment S—3553 filed by him on March 28, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3553 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. 398) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Colton	Dieleman	Doyle	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Rife
Ritsema	Small	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, 6:

Coleman	Corning	Gentleman	Mann
Rodgers	Tieden		

Absent or not voting, 9:

Deluhery	Drake	Gettings	Holden
Hultman	Jensen	Readinger	Schwengels
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 House File 419.

House File 419

On motion of Senator Small, House File 419, a bill for an act relating to the payment of court costs and providing a penalty, 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. 419) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Hall	Hannon	Hester	Holden

Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A. V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, 1:

Waldstein

Absent or not voting, 6:

Deluhery	Drake	Gettings	Gronstal
Readinger	Schwengels		

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 505.

House File 505

On motion of Senator Miller of Des Moines, House File 505, a bill for an act relating to an annual review of local human service programs by the county board of social welfare, 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 505** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 319.

House File 319

On motion of Senator Bruner, House File 319, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 9:50 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. 319) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Rife	Ritserma	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Drake	Gettings	Mann
Readinger	Schwengels		

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 558.

House File 558

On motion of Senator Gentleman, House File 558, a bill for an act relating to the liabilities of mental health advocates, 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. 558) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Drake	Gettings	Readerger
Schwengels			

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 549.

House File 549

On motion of Senator Bruner, House File 549, a bill for an act relating to domestic abuse counseling; to coordination of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—3592 filed by the committee on Human Resources on April 2, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3592 was adopted by a voice vote.

Senator Mann withdrew amendment S—3730 filed by him on April 12, 1985, to pages 5 and 6 of the bill.

Senator Mann offered amendment S—3736 filed by him on April 15, 1985, to pages 5 and 6 of the bill and moved its adoption.

Amendment S—3736 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. 549) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Gentleman	Goodwin	Gratias	Gronstal
Hall	Hester	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 3:

Holden	Holt	Lind
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Voting present, 1:

Doyle

Absent or not voting, 7:

Deluhery	Drake	Gettings	Hannon
Hultman	Readinger	Schwengels	

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 550.

House File 550

On motion of Senator Mann, House File 550, a bill for an act making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent, 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. 550) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Drake	Gettings	Schwengels
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 House File 584.

House File 584

On motion of Senator Carr, House File 584, a bill for an act relating to information contained on interstate probation and parole compact transfer requests, 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. 584) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Drake	Gettings	Hultman
Schwengels			

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 315.

House File 315

On motion of Senator Carr, House File 315, a bill for an act relating to drug product selection, with report of committee recommending passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that further action on **House File 315** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 66.

House File 66

On motion of Senator Husak, House File 66, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—3540 filed by the committee on Natural Resources on March 27, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3540 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?" (H.F. 66) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Drake	Gettings	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 Hutchins asked and received unanimous consent to take up out of order House File 413

House File 413

On motion of Senator Bruner, House File 413, a bill for an act to include domestic violence as compensable from the victims reparations fund provided the offender and victim were not residing together at the time of the act, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—3629 filed by the committee on Human Resources on April 3, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3629 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. 413) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Drake	Gettings	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 Hutchins asked and received unanimous consent to take up out of order House File 428.

House File 428

On motion of Senator Doyle, House File 428, a bill for an act relating to the use of gizzard shad as bait, 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. 428) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Rodgers	Small
Soorholtz	Tieden	Vande Hoef	Wells
Welsh			

Nays, 3:

Corning	Gentleman	Ritsema
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Absent or not voting, 6:

Deluhery	Drake	Gettings	Schwengels
Taylor	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 House File 631.

House File 631

On motion of Senator Hannon, House File 631, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—3628 filed by the committee on Human Resources on April 3, 1985, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3628 was adopted by a voice vote.

Senator Ritsema asked and received unanimous consent that further action on **House File 631** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 713.

House File 713

On motion of Senator Carr, House File 713, a bill for an act relating to educational leave and educational assistance for state employees, 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. 713) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Cofton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 4:

Readerger	Rife	Ritsema	Small
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Absent or not voting, 7:

Deluhery	Drake	Gettings	Hannon
Hultman	Priebe	Schwengels	

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 204.

House File 204

On motion of Senator Mann, House File 204, a bill for an act relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offenses, 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. 204) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Drake	Gettings	Hultman
Priebe	Schwengels		

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 454.

House File 454

On motion of Senator Priebe, House File 454, a bill for an act requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses, 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?" (H.F. 454) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Drake	Gettings	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 Hutchins asked and received unanimous consent to take up out of order House File 556.

House File 556

On motion of Senator Gronstal, House File 556, a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the

borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an applicant for a loan shall report other installment loans that the applicant may have, was taken up for consideration.

Senator Welsh took the chair at 11:05 a.m.

Senator Gronstal offered amendment S—3673 filed by him on April 9, 1985, to the title page of the bill and moved its adoption.

Amendment S—3673 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon 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. 556) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Gettings	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.

WITHDRAWN

Senator Gronstal asked and received unanimous consent that

Senate File 544 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 552.

House File 552

On motion of Senator Wells, House File 552, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers, was taken up for consideration.

Senator Taylor asked and received unanimous consent that further action on **House File 552** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 537.

House File 537

On motion of Senator Wells, House File 537, a bill for an act relating to special elections to fill vacancies in city councils, 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. 537) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife

Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Gentleman	Ritsema
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Absent or not voting, 3:

Deluhery	Gettings	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 Hutchins asked and received unanimous consent to take up out of order House File 652.

House File 652

On motion of Senator Waldstein, House File 652, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic 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. 652) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery

Gettings

Schwengels

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 691.

House File 691

On motion of Senator Carr, House File 691, a bill for an act relating to the psychological testing of law enforcement officers and candidates, 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. 691) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Lind

Absent or not voting, 3:

Deluhery

Gettings

Schwengels

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 181.

House File 181

On motion of Senator Dieleman, House File 181, a bill for an act to legalize proceedings taken by the city council of the city of Buffalo, Iowa relating to the compensation of the mayor, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—3651 filed by the committee on Judiciary on April 8, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 27.

Amendment S—3651 lost.

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. 181) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gentleman	Goodwin	Gratias
Gronstal	Hannon	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Rodgers	Small
Soorholtz	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, 9:

Corning	Hall	Hester	Holden
Holt	Lind	Priebe	Ritsera
Vande Hoef			

Absent or not voting, 3:

Deluhery

Gettings

Schwengels

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

UNFINISHED BUSINESS (Deferred April 15, 1985)

House File 462

The Senate resumed consideration of House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties, deferred on April 15, 1985.

Senator Mann offered amendment S—3654 filed by the committee on Judiciary on April 8, 1985, to pages 1, 3, 4, 5, 6 and 7 of the bill and moved its adoption.

Senator Colton took the chair at 11:51 a.m.

Amendment S—3654 was adopted by a voice vote.

Senator Mann offered amendment S—3746 filed by him on April 15, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3746 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. 462) the vote was:

Ayes, 43:

Boswell
Coleman
Doyle
Gratias
Hester
Husak
Mann
Neighbour
Rife
Soorholtz
Waldstein

Brown
Colton
Drake
Gronstal
Holden
Hutchins
Miller, A.V.
Palmer
Ritsema
Taylor
Wells

Bruner
Corning
Gentleman
Hall
Holt
Jensen
Miller, C.P.
Priebe
Rodgers
Tieden
Welsh

Carr
Dieleman
Goodwin
Hannon
Horn
Junkins
Murphy
Readinger
Small
Vande Hoef

Nays, none.

Absent or not voting, 7:

Deluhery
Lind

Gettings
Nystrom

Hultman
Schwengels

Kinley

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

RESOLUTIONS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolutions 38 and 39** be referred from the **Regular Calendar** to the committee on **Rules and Administration**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon, until 1:30 p.m.

APPENDIX**COMMITTEE REPORT****JUDICIARY**

Final Bill Action: HOUSE FILE 495, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage and support orders, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, providing exceptions to garnishment limitations, and the recording of income tax refund or rebate payments by the clerk.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3757.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Drake and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1985, when the final vote was taken on House File 549.

Had I been present, I would have voted "aye".

BEVERLY A. HANNON

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 319 passed the Senate on April 16, 1985.

ARNE WALDSTEIN

MR. PRESIDENT: I move to reconsider the vote by which House File 652 passed the Senate on April 16, 1985.

JULIA GENTLEMAN

PRESENTATION OF VISITORS

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

Forty-five eighth grade students from West Central Junior-Senior High School, Maynard, Iowa, accompanied by Ron Reusche and Larry Munger. Senator Murphy.

Forty-seven sixth grade students from Britt Elementary School, Britt, Iowa, accompanied by Reta Klipping. Senator Priebe.

Thirty-five seventh and eighth grade students from Wall Lake Elementary School, Wall Lake, Iowa, accompanied by Verla Schroeder, Larry Faust and Steve Trost. Senator Waldstein.

Sixteen 4-H Teen Council members from Henry and Lee Counties, accompanied by four leaders. Senators C. Miller and Junkins.

AMENDMENTS FILED

S—3756	H.F.	452	John W. Jensen
S—3757	H.F.	495	Judiciary
S—3758	H.F.	631	Douglas Ritsema Beverly Hannon
S—3759	S.F.	552	Charles P. Miller Bob Carr

AFTERNOON SESSION

The Senate reconvened at 1:37 p.m., President Anderson 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the afternoon on request of Senator Hutchins.

BUSINESS PENDING

House File 631

The Senate resumed consideration of House File 631, previously deferred.

Senator Ritsema offered amendment S—3758 filed by Senators Ritsema and Hannon from the floor to page 1 of the bill and moved its adoption.

Amendment S—3758 was adopted by a voice vote.

Senator Hannon moved that the bill be read the last time now and placed upon 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. 631) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, C.P.

Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none:

Absent or not voting, 8:

Deluhery	Gettings	Kinley	Miller, A.V.
Schwengels	Small	Soorholtz	Waldstein

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 315

The Senate resumed consideration of House File 315, previously deferred.

Senator Carr asked and received unanimous consent that further action on **House File 315** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 484.

House File 484

On motion of Senator Hutchins, House File 484, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hutchins offered amendment S—3590 filed by the committee on Commerce on April 2, 1985, to pages 17 and 18 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 17.

Amendment S—3590 was adopted.

Senator Hannon took the chair at 2:00 p.m.

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. 484) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Gettings	Kinley	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 Hutchins asked and received unanimous consent to take up out of order House File 664.

House File 664

On motion of Senator Drake, House File 664, a bill for an act relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority, with report of committee recommending passage, was taken up for consideration.

Senator Drake withdrew amendment S—3639 filed by him on April 3, 1985, to pages 1, 2 and the title page of the bill.

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. 664) the vote was:

Ayes, 46:

Boeswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Gettings	Kinley	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 Hutchins asked and received unanimous consent to take up out of order House File 688.

House File 688

On motion of Senator Small, House File 688, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gentleman offered amendment S—3652 filed by the committee on Judiciary on April 8, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3652 was adopted 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. 688) the vote was:

Ayes, 43:

Boswell	Brown	Coleman	Corning
Dieleman	Doyle	Drake	Gentleman
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 4:

Bruner	Carr	Colton	Mann
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Absent or not voting, 3:

Deluhery	Gettings	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 Hutchins asked and received unanimous consent to take up out of order House File 128.

House File 128

On motion of Senator Mann, House File 128, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes, authorizing the imposition of an additional fee upon the filing of civil actions in counties served by such centers, and making an appropriation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ritsema offered amendment S—3676 filed by the committee on Judiciary on April 9, 1985, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3676 was adopted by a voice vote.

President Anderson took the chair at 2:46 p.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?" (H.F. 128) the vote was:

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

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Gratias	Gronstal	Hannon	Horn
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Rodgers
Wells	Welsh		

Nays, 21:

Corning	Drake	Gentleman	Goodwin
Hall	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Rife	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 3:

Deluhery Gettings Schwengels

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 150.

House File 150

On motion of Senator Priebe, House File 150, a bill for an act relating to fees collected by the sheriff, with report of committee recommending passage, was taken up for consideration.

Senator Holden raised the point of order that House File 150 should be referred to the committee on Ways and Means.

The Chair ruled the point not well taken.

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. 150) the vote was:

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

Ayes, 36:

Boswell	Brown	Bruner	Carr
Colton	Corning	Dieleman	Drake
Gentleman	Goodwin	Gratias	Gronstal
Hall	Hannon	Holt	Hultman
Husak	Hutchins	Junkins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Small	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 10:

Coleman	Hester	Holden	Horn
Jensen	Kinley	Lind	Ritsema
Soorholtz	Taylor		

Voting present, 1:

Doyle

Absent or not voting, 3:

Deluhery

Gettings

Schwengels

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

BUSINESS PENDING

House File 315

The Senate resumed consideration of House File 315, previously deferred.

Senator Hultman offered amendment S—3609 filed by Senators Hultman, et al., on April 2, 1985, to page 1 of the bill.

Senator Waldstein offered amendment S—3763 filed by him from the floor to amendment S—3609 and moved its adoption.

Amendment S—3763 was adopted by a voice vote.

Senator Lind withdrew amendment S—3623 filed by him on April 3, 1985, to amendment S—3609.

Senator Carr called for a division of amendment S—3609 as amended: lines 3 through 6 as division S—3609A and lines 7 through 20 as division S—3609B.

Senator Hultman moved the adoption of division S—3609A, which motion prevailed by a voice vote.

With the adoption of division S—3609A, the Chair ruled the following amendments to the bill out of order:

S—3435 filed by Senator Lind on March 21, 1985, to page 1.

S—3610 filed by Senator Carr on April 2, 1985, to page 1.

S—3760 filed by Senator Carr from the floor to page 1.

Senator Hultman moved the adoption of division S—3609B, as amended.

A record roll call was requested.

On the question "Shall division S—3609B as amended be adopted?" (H.F. 315) the vote was:

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

Ayes, 22:

Coleman	Corning	Drake	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hultman	Lind
Priebe	Readinger	Rife	Ritsema
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, 24:

Boswell	Brown	Bruner	Carr
Colton	Dieleman	Doyle	Gentleman
Gronstal	Hannon	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Rodgers	Soorholtz	Welsh

Absent or not voting, 4:

Deluhery	Gettings	Husak	Schwengels
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Division S—3609B as amended lost.

Senator Carr offered amendment S—3768 filed by him from the floor to page 1 of the bill.

Senator Carr asked and received unanimous consent that further action on amendment S—3768 be deferred.

Senator Lind offered amendment S—3437 filed by him on March 21, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3437 was adopted by a voice vote.

Senator Lind offered amendment S—3436 filed by him on March 21, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3436 was adopted by a voice vote.

Senator Lind offered amendment S—3728 filed by him on April 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3728 was adopted by a voice vote.

Senator Lind withdrew amendment S—3439 filed by him on March 21, 1985, to page 1 of the bill.

Senator Lind withdrew amendment S—3438 filed by him on March 21, 1985, to page 1 of the bill.

Senator Ritsema called for a division of amendment S—3768, previously deferred: lines 3 and 4 as division S—3768A; lines 5 through 9 as division S—3768B.

Senator Carr moved the adoption of division S—3768A, which motion prevailed by a voice vote.

Senator Carr moved the adoption of division S—3768B.

A non record roll call was requested.

The ayes were 27, nays 16.

Division S—3768B was adopted.

Senator Lind offered amendment S—3440 filed by him on March 21, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 26.

Amendment S—3440 lost.

Senator Carr withdrew amendment S—3770 filed by him from the floor to page 1 of the bill.

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—3437 to House File 315 was adopted by the Senate on April 16, 1985.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 315) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gronstal
Hannon	Horn	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Rodgers	Small	Waldstein	Welsh

Nays, 15:

Goodwin	Gratias	Hall	Hester
Holden	Hultman	Jensen	Lind
Readinger	Rife	Ritsema	Soorholtz
Taylor	Vande Hoef	Wells	

Absent or not voting, 7:

Deluhery	Gettings	Holt	Husak
Nystrom	Schwengels	Tieden	

The motion prevailed and amendment S—3437 by Senator Lind to page 1 of the bill, was taken up for reconsideration.

Senator Lind moved the adoption of amendment S—3437, which motion lost 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. 315) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gentleman	Gronstal	Hannon
Horn	Hultman	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Small	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 13:

Corning	Goodwin	Gratias	Hall
Hester	Holden	Holt	Kinley

Readinger
Vande Hoef

Rife

Ritsema

Soorholtz

Absent or not voting, 6:

Deluhery
Rodgers

Gettings
Schwengels

Husak

Nystrom

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 676 be referred from the Regular Calendar to the committee on Small Business and Economic Development.

APPENDIX**REPORT OF COMMITTEE MEETING****EDUCATION**

Convened: April 16, 1985, 8:12 a.m.

Members Present: Brown, Chair; Gratiias, Ranking Member; Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: Horn, Vice Chair and Colton (excused).

Committee Business: Assigned House File 619 to a subcommittee; distributed documents regarding school finance data.

Adjourned: 9:05 a.m.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1985, when the final vote was taken on House File 713.

Had I been present, I would have voted "aye".

BEVERLY A. HANNON

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1985.

Had I been present, I would have voted "aye" on House Files 130, 319, 398, 419, 549, 550, 558 and 625.

DAVE READINGER

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 308 passed the Senate on April 15, 1985.

JAMES D. WELLS

MR. PRESIDENT: I move to reconsider the vote by which House File 413 passed the Senate on April 16, 1985.

CALVIN O. HULTMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 315 passed the Senate on April 16, 1985.

THOMAS A. LIND

MR. PRESIDENT: I move to reconsider the vote by which House File 315 passed the Senate on April 16, 1985.

CALVIN O. HULTMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 315 passed the Senate on April 16, 1985.

BOB CARR

BILLS ASSIGNED TO COMMITTEE

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

H.F.	720	Education
H.F.	721	Judiciary

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 16th day of April, 1985:

Senate File 395.

K. MARIE THAYER
Secretary of the Senate

AMENDMENTS FILED

S—3760	H.F.	315	Bob Carr
S—3761	H.F.	210	Joe Brown
S—3762	H.F.	684	Arthur A. Small, Jr.
S—3763	H.F.	315	Arne Waldstein
S—3764	S.F.	563	Edgar H. Holden

S—3765	H.F.	572	Richard F. Drake George Kinley
S—3766	H.F.	531	Bill Hutchins
S—3767	S.F.	563	Charles Bruner
S—3768	H.F.	315	Bob Carr
S—3769	H.F.	575	Arthur A. Small, Jr.
S—3770	H.F.	315	Bob Carr
S—3771	H.F.	244	Larry Murphy
S—3772	H.F.	231	Arne Waldstein
S—3773	H.F.	700	Edgar H. Holden

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:42 p.m., until 9:00 a.m., Wednesday, April 17, 1985.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 17, 1985

The Senate met in regular session at 9:20 a.m., President Anderson presiding.

Prayer was offered by the Reverend Dennis Gilbert, pastor of the United Methodist Church, Shell Rock, Iowa.

The Journal of Tuesday, April 16, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the day on request of Senator Junkins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 255.

House File 255

On motion of Senator Waldstein, House File 255, a bill for an act relating to the election of hospital trustees, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3532 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3532 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. 255) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Carr	Deluhery	Schwengels	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 Hutchins asked and received unanimous consent to take up out of order House File 366.

House File 366

On motion of Senator Hall, House File 366, a bill for an act relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles, 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?" (H.F. 366) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen

Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Carr	Deluhery	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 Hutchins asked and received unanimous consent to take up out of order House File 494.

House File 494

On motion of Senator Hall, House File 494, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hall offered amendment S—3648 filed by the committee on Local Government on April 4, 1985, to pages 1, 2 and 4 of the bill.

Senator Waldstein offered amendment S—3683 filed by him on April 10, 1985, to amendment S—3648 and moved its adoption.

A non record roll call was requested.

The ayes were 8, nays 32.

Amendment S—3683 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the morning on request of Senator Hutchins.

BUSINESS PENDING

House File 494

The Senate resumed consideration of House File 494.

Senator Hall moved the adoption of amendment S—3648, which motion prevailed by a voice vote.

Senator Holt took the chair at 10:06 a.m.

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. 494) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Colton
Corning	Dieleman	Doyle	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholts	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Drake

Absent or not voting, 7:

Carr	Coleman	Deluhery	Hultman
Junkins	Schwengels	Tieden	

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 that **House File 494** be immediately messaged to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 526.

House File 526

On motion of Senator Small, House File 526, a bill for an act relating to interpreters for certain hearing impaired persons, 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. 526) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Colton
Corning	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritaema	Rodgers	Small	Soorholtz
Taylor	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Carr	Coleman	Deluhery	Dieleman
Hultman	Junkins	Miller, A.V.	Schwengels
Tieden	Vande Hoef		

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 569.

House File 569

On motion of Senator Miller of Des Moines, House File 569, a bill for an act relating to the administration of special land use districts, 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. 569) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Carr	Coleman	Deluhery	Horn
Hultman	Junkins	Schwengels	Tieden

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 575.

House File 575

On motion of Senator Dieleman, House File 575, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman offered amendment S—3769 filed by Senator Small on April 16, 1985, to page 1 of the bill.

Senator Husak asked and received unanimous consent that further action on House File 575 and amendment S—3769 be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 682.

House File 682

On motion of Senator Brown, House File 682, a bill for an act relating to the calculation of enrollment for increasing enrollment school districts and providing that the act takes effect upon its publication, 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. 682) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Carr	Coleman	Deluhery	Hultman
Junkins	Miller, C.P.	Schwengels	Tieden
Welsh			

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 692.

House File 692

On motion of Senator Vande Hoef, House File 692, a bill for an act relating to the Iowa dairy industry commission, 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. 692) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Carr	Coleman	Deluhery	Gratias
Hultman	Junkins	Miller, C.P.	Schwengels
Tieden			

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 711.

House File 711

On motion of Senator Gettings, House File 711, a bill for an act relating to the application for registration and titling of vehicles and providing penalties, 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. 711) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Carr	Coleman	Deluhery	Gratias
Hultman	Junkins	Miller, C.P.	Rodgers
Schwengels	Tieden		

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 741.

House File 741

On motion of Senator Miller of Cerro Gordo, House File 741, a bill for an act relating to custom livestock feeders, 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. 741) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Carr	Coleman	Deluhery	Miller, C.P.
Schwengels	Tieden	Waldstein	

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 531.

House File 531

On motion of Senator Hutchins, House File 531, a bill for an act prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—3766 filed by him on April 16, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3766 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?" (H.F. 531) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Carr	Coleman	Deluhery	Miller, C.P.
Schwengels	Tieden		

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

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 15, 1985, passed the following bills in which the concurrence of the Senate is asked:

Senate Joint Resolution 3, 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.

Senate File 63, a bill for an act relating to the approval of attorney fees by the department of job service.

Senate File 121, a bill for an act relating to nonsubstantive Code corrections.

Senate File 154, a bill for an act relating to the duties of the secretary for the state board of engineering examiners.

Senate File 172, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

Senate File 194, a bill for an act striking the semiannual reporting requirement by mobile home park licensees, and providing a civil penalty.

Senate File 230, a bill for an act relating to qualifications of sureties.

Senate File 289, a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

Senate File 306, a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

Senate File 317, a bill for an act relating to qualifying for office.

Senate File 407, a bill for an act relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date.

Senate File 413, a bill for an act relating to farm-to-market road fund allocations.

Senate File 466, a bill for an act relating to the bonding requirements for a holder of a permit to sell seed.

Senate File 490, a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal

Power Group and Dairyland Power Cooperative to have been legally taken.

Senate File 511, a bill for an act to extend the time for the completion of the flood plain mapping plan.

Senate File 525, a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice.

ALSO: That the House has on April 15, 1985, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 315, a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed (S—3776).

Senate File 328, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa (S—3777).

Senate File 377, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies (S—3778).

Senate File 387, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise of bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person (S—3779).

Senate File 480, a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication (S—3781).

Senate File 526, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction (S—3782).

MOTION TO RECONSIDER WITHDRAWN**House File 469**

Senator Waldstein withdrew the motion to reconsider House File 469, a bill for an act to require a sufficient number of wells at each sanitary disposal project to adequately monitor ground water quality, filed by him on April 15, 1985, and found on page 1365 of the Senate Journal.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:12 a.m., until 1:15 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: April 17, 1985, 8:12 a.m.

Members Present: Brown, Chair; Horn, Vice Chair; Gratias, Ranking Member; Corning, Hannon, Lind, Murphy, Taylor and Wells.

Members Absent: Colton (excused).

Committee Business: Discussed school finance data.

Adjourned: 9:08 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 128 passed the Senate on April 16, 1985.

TOM MANN, JR.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Poul and Eva Hybschmann from Denmark — Visitors in the Iowa Senate. Senator Hultman (April 17, 1985).

PRESENTATION OF VISITORS

The Chair welcomed Poul and Eva Hybschmann from Denmark, who were present in the Senate chamber as the guests of Senator Hultman.

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

Thirty-seven fifth grade students from Beaman-Conrad-Liscomb Elementary School, Conrad, Iowa, accompanied by John Ehn and Mary Pieper. Senator Jensen.

Forty-five fifth grade students from Edmunds Academy, Des Moines, Iowa, accompanied by Barbara James. Senators Kinley, Gentleman and Mann.

Eighty eighth grade students from Sumner Community School, Sumner, Iowa, accompanied by Brian Stead. Senator Jensen.

AMENDMENTS FILED

S-3774	H.F.	451	Douglas Ritsema
S-3775	H.F.	244	Larry Murphy
S-3776	S.F.	315	House amendment
S-3777	S.F.	328	House amendment
S-3778	S.F.	377	House amendment
S-3779	S.F.	387	House amendment
S-3780	H.F.	649	Edgar H. Holden
S-3781	S.F.	480	House amendment
S-3782	S.F.	526	House amendment

AFTERNOON SESSION

The Senate reconvened at 1:17 p.m., Senator Coleman presiding.

QUORUM CALL

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

The vote revealed 26 present, 24 absent and a quorum present.

President Anderson took the chair at 1:25 p.m.

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 18, duly adopted, the Senate proceeded to the House under the direction of the Parliamentarian and the Sergeant-at-arms.

JOINT CONVENTION

PIONEER LAWMAKERS Forty-eighth Biennial Session House Chamber - 1:30 p.m.

In accordance with House Concurrent Resolution 18, the joint convention was called to order, President Anderson presiding.

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

Senator Junkins moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote and the President appointed as such committee Senators Neighbour and Holt and Representatives Gruhn and Welden.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Anderson presented Senator Norman G. Rodgers, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Anderson presented the Honorable John Connors, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Anderson introduced the Honorable Eugene Hill, former member of the Senate from Jasper County, who responded to the welcome.

Senator Hill announced the legislators who were eligible to become members of the Pioneer Lawmakers and that Robert Case, Waterloo (deceased) and Elizabeth Ligouri, Des Moines, were awarded honorary memberships in the Pioneer Lawmakers Association of Iowa.

President Anderson then presented the Honorable Robert D. Fulton, former lieutenant governor and governor of Iowa, who addressed the joint convention:

(For the text of Governor Fulton's address, please refer to the Senate Journal of April 18, 1985).

Representative Norland moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

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

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1985, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 433, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date (S—3783).

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 740.

House File 740

On motion of Senator Jensen, House File 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jensen offered amendment S—3688 filed by the committee on Commerce on April 10, 1985, to page 1 of the bill.

Senator Jensen offered amendment S—3755 filed by Senators Jensen and Deluhery on April 15, 1985, to amendment S—3688.

Senator Holden called for a division of amendment S—3755: lines 3 through 5 as division S—3755A; lines 6 through 13 as division S—3755B.

Senator Jensen moved the adoption of division S—3755A to amendment S—3688, which motion prevailed by a voice vote.

Senator Jensen moved the adoption of division S—3755B to amendment S—3688, which motion lost by a voice vote.

Senator Jensen moved the adoption of S—3688 as amended, which motion prevailed by a voice vote.

Senator Jensen asked and received unanimous consent that further action on **House File 740** be deferred.

UNFINISHED BUSINESS
(Deferred April 16, 1985)

House File 552

The Senate resumed consideration of House File 552, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing candidacy papers, deferred on April 16, 1985.

Senator Priebe asked and received unanimous consent that further action on House File 552 be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 751.

House File 751

On motion of Senator Small, House File 751, a bill for an act relating to restitution by a child for attorneys' fees, 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. 751) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery

Holden

Schwengels

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 35.

House File 35

On motion of Senator Hannon, House File 35, a bill for an act making changes in the statutes relating to marriage, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—3588 filed by him on April 2, 1985, to page 4 of the bill.

Senator Mann asked and received unanimous consent that **House File 35** be referred to the committee on **Judiciary**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 160.

House File 160

On motion of Senator Carr, House File 160, a bill for an act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 160** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 341.

House File 341

On motion of Senator Colton, House File 341, a bill for an act requiring the state building code commissioner to adopt a minimum energy efficiency standard for new single-family or two-

family residential construction, 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. 341) the vote was:

Ayes, 33:

Brown	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers - Welsh	Small	Soorholtz	Wells

Nays, 15:

Boswell	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Miller, C.P.	Ritsema	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 2:

Deluhery Schwengels

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

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

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins 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 BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 726.

House File 726

On motion of Senator Gronstal, House File 726, a bill for an act relating to joint exercise of powers to finance hydroelectric power facilities, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon 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. 726) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Holden

Absent or not voting, 4:

Deluhery	Hultman	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.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 318, a bill for an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

CONSIDERATION OF BILLS (Regular Calendar)

House File 460

On motion of Senator Rife, House File 460, a bill for an act relating to the investment of the assets of insurance companies, state banks, state savings banks, state savings and loan associations and credit unions in venture capital firms making investments in small businesses in the state and in small business operating in this state, with report of committee recommending passage, was taken up for consideration.

Senator Rife offered amendment S—3359 filed by him on March 19, 1985, to page 5 of the bill and moved its adoption.

Amendment S—3359 was adopted by a voice vote.

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. 460) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Jinley	Lind	Mann

Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsæma	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Hultman	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.

Senator Hutchins asked and received unanimous consent to take up out of order House File 572.

House File 572

On motion of Senator Kinley, House File 572, a bill for an act regulating the gross weights of rubbish vehicles and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kinley offered amendment S—3674 filed by the committee on Transportation on April 9, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3674 was adopted by a voice vote.

Senator Jensen offered amendment S—3790 filed by him from the floor to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that further action on House File 572 and amendment S—3790 be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 703.

House File 703

On motion of Senator Kinley, House File 703, a bill for an act creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company, with report

of committee recommending passage, was taken up for consideration.

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?" (H.F. 703) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Rodgers	Schwengels	Small
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 House File 670.

House File 670

On motion of Senator Neighbour, House File 670, a bill for an act relating to the termination of a county library district, with report of committee recommending passage, was taken up for consideration.

Senator Neighbour moved that the bill be read the last time now and placed upon 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. 670) the vote was:

Ayes, 44:

Brown	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 2:

Boswell Murphy

Absent or not voting, 4:

Deluhery Rodgers Schwengels Small

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 210.

House File 210

On motion of Senator Brown, House File 210, a bill for an act relating to the weighting per pupil for shared programs for school districts, with report of committee recommending passage, was taken up for consideration.

Senator Brown offered amendment S—3761 filed by him on April 16, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3761 was adopted by a voice vote.

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. 210) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Ritsema

Absent or not voting, 4:

Deluhery	Gentleman	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.

Senator Hutchins asked and received unanimous consent to take up out of order House File 453.

House File 453

On motion of Senator Tieden, House File 453, a bill for an act relating to the hunter safety course requirements in applying for a hunting license, 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?" (H.F. 453) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon

Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Deluhery	Lind	Rife	Rodgers
Schwengels			

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 540.

House File 540

On motion of Senator Hester, House File 540, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hester offered amendment S—3696 filed by the committee on natural Resources on April 10, 1985, to page 9 of the bill and moved its adoption.

Amendment S—3696 was adopted by a voice vote.

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?" (H.F. 540) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall

Hannon	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Small	Soorboltz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Hester	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.

Senator Hutchins asked and received unanimous consent to take up out of order House File 626.

House File 626

On motion of Senator Tieden, House File 626, 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 amendment and passage, was taken up for consideration.

Senator Tieden offered amendment S—3695 filed by the committee on Natural Resources on April 10, 1985, to pages 1, 3 and 4 of the bill and moved its adoption.

Amendment S—3695 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. 626) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins

Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Holden

Absent or not voting, 6:

Boswell	Coleman	Deluhery	Hultman
Rodgers	Schwengels		

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 709.

House File 709

On motion of Senator Miller of Cerro Gordo, House File 709, a bill for an act relating to the hazardous chemicals interagency coordinating council, 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. 709) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, 1:

Ritsema

Absent or not voting, 5:

Deluhery
Welsh

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.

Senator Hutchins asked and received unanimous consent to take up out of order House File 677.

House File 677

On motion of Senator Vande Hoef, House File 677, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3727 filed by him on April 12, 1985, to page 8 of the bill and moved its adoption.

Amendment S—3727 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?" (H.F. 677) the vote was:

Ayes, 46:

Boswell
Coleman
Doyle
Goodwin
Hannon
Horn
Junkins
Miller, A.V.
Nystrom
Rife
Taylor
Wells

Brown
Colton
Drake
Gratias
Hester
Husak
Kinley
Miller, C.P.
Palmer
Ritsema
Tieden
Welsh

Bruner
Corning
Gentleman
Gronstal
Holden
Hutchins
Lind
Murphy
Priebe
Small
Vande Hoef

Carr
Djeleman
Gettings
Hall
Holt
Jensen
Mann
Neighbour
Readinger
Soorholtz
Waldstein

Nays, none.

Absent or not voting, 4:

Delühery	Hultman	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.

Senator Hutchins asked and received unanimous consent to take up out of order House File 728.

House File 728

On motion of Senator Bruner, House File 728, a bill for an act requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, and small businesses, 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. 728) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Colton	Corning	Dieleman	Doyle
Gentleman	Gettings	Gronstal	Hall
Hannon	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Small	Soorholtz	Tieden	Waldstein
Wells			

Nays, 12:

Coleman	Drake	Goodwin	Gratias
Hester	Holden	Holt	Jensen
Lind	Ritsema	Taylor	Vande Hoef

Absent or not voting, 5:

Deluhery	Nystrom	Rodgers	Schwengels
Welsh			

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 750.

House File 750

On motion of Senator Bruner, House File 750, a bill for an act imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—3750 filed by Senators Miller of Cerro Gordo, et al., on April 15, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3750 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. 750) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Small	Soorboltz
Tieden	Waldstein	Wells	Welsh

Nays, 6:

Corning	Holden	Lind	Miller, C.P.
Taylor	Vande Hoef		

Absent or not voting, 4:

Deluhery

Nystrom

Rodgers

Schwengels

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

Senator Welsh took the chair at 5:32 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 41, by Husak, a resolution concerning school bus safety laws.

Read first time and passed on file.

INTRODUCTION OF BILL

Senate File 565, by Committee on Ways and Means, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting a portion of the revenue from motor fuel and special fuel taxes to the RISE fund for use in road and street projects which promote economic development in the state, by providing for a one cent per gallon reduction in the excise tax rate on gasohol contingent upon certain circumstances, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable.

Read first time and placed on the Ways and Means Calendar.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 395, the following technical corrections were made to the conference committee report filed to the bill:

1. Operation number 4 - the insertion was made after "chapter." instead of after "chapter".
2. Operation number 45 - new sections 422B.5, 422B.6 and 422B.7 were preceded by "Sec. ___".
3. Operation number 48 - internal reference "section 203" was changed to "section 85".

The following technical corrections were made to the enrolled bill:

1. Page 13, line 22, "fourteen day class" was changed to "fourteen-day class".
2. Page 67, line 27, "NEW SECTION" was added.
3. Page 76, in Sec. 120, the word "permitholder" was changed to "permit holder" throughout the paragraph.

K. MARIE THAYER
Secretary of the Senate

BILL RETURNED TO CALENDAR

Pursuant to unanimous consent received by Senator Hultman on April 12, 1985, on Senate Journal page 1336, **House File 450** was returned to the Senate Regular Calendar from the committee on **State Government**.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 17, 1985, 11:15 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Grattias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz.

Members Absent: none.

Committee Business: Approved SSB 372 as a committee bill.

Adjourned: 12:15 p.m.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1985, when the final votes were taken on House Files 66, 128, 130, 150, 181, 204, 315, 319, 398, 413, 419, 428, 454, 462, 484, 537, 549, 550, 556, 558, 584, 625, 631, 652, 664, 688, 691 and 713.

Had I been present, I would have voted "aye" on the bills.

DON GETTINGS

MR. PRESIDENT: I was necessarily absent from the Senate at the time of the final vote on House File 526.

Had I been present, I would have voted "aye".

WILLIAM W. DIELEMAN

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 565, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting a portion of the revenue from motor fuel and special fuel taxes to the RISE fund for use in road and street projects which promote economic development in the state, by providing for a one cent per gallon reduction in the excise tax rate on gasohol contingent upon certain circumstances, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Palmer, Husak, Boswell, Brown, Dieleman, Holt, Readinger, Rodgers and Soorholtz. Nays, 2: Gronstal and Mann. Voting present, 1: Bruner. Absent, 3: Gratias, Holden and Hester.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 540 passed the Senate on April 17, 1965.

C. JOSEPH COLEMAN

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Jane Schick. Senator Gettings.

Sixty-five eighth grade students from Grimes Junior High School, Grimes, Iowa, accompanied by Bill Wineland. Senators Palmer and Rodgers.

AMENDMENTS FILED

S-3783	H.F.	451	Larry Murphy
S-3784	S.F.	433	House amendment
S-3785	S.F.	562	Don E. Gettings
S-3786	S.F.	562	Don E. Gettings
S-3787	S.F.	562	Don E. Gettings
S-3788	S.F.	562	C. Joseph Coleman Richard F. Drake
S-3798	H.F.	572	John W. Jensen
S-3790	H.F.	572	John W. Jensen
S-3791	H.F.	554	Thomas A. Lind
S-3792	H.F.	572	Thomas A. Lind
S-3793	H.F.	476	Joe Welsh
S-3794	H.F.	392	Julia Gentleman
S-3795	H.F.	572	Thomas A. Lind
S-3796	H.F.	736	Hurley Hall
S-3797	H.F.	730	Edgar Holden
S-3798	S.F.	572	Hurley Hall
S-3799	H.F.	572	Thomas A. Lind

S—3800	H.F.	572	Don Gettings
S—3801	H.F.	572	Thomas Lind
S—3802	H.F.	740	Michael E. Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Thursday, April 18, 1985.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 18, 1985

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

Prayer was offered by the Reverend Rohn Peterson, pastor of the First Baptist Church, Anamosa, Iowa.

The Journal of Wednesday, April 17, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery for the morning and Senators Neighbour and Mann for the day on request on 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 16, 1985, passed the following bills in which the concurrence of the House was asked:

Senate File 218, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

Senate File 224, a bill for an act relating to discrimination on the basis of gender and marital status.

Senate File 303, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

Senate File 355, a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

Senate File 359, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date.

Senate File 393, a bill for an act relating to the fee for transferring real estate by the county auditor.

Senate File 423, a bill for an act relating to claims in estates for which there is insurance coverage.

Senate File 435, a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service.

Senate File 456, a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date.

Senate File 467, a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceeding.

Senate File 514, a bill for an act relating to garnished accounts of supervised financial organizations.

Senate File 538, a bill for an act relating to an agricultural supply dealer's lien.

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.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 639.

House File 639

On motion of Senator Colton, House File 639, a bill for an act relating to the presence and removal of asbestos in public school buildings, 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. 639) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Junkins	Kinley	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Deluhery	Hultman	Lind	Mann
Neighbour	Readinger	Rife	Schwengels
Weish			

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 729.

House File 729

On motion of Senator Miller of Cerro Gordo, House File 729, a bill for an act relating to certain tax levies of political subdivisions and area schools, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—3712 filed by the committee on Local Government on April 11, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3712 was adopted by a voice vote.

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. 729) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, 2:

Hultman	Jensen
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Absent or not voting, 7:

Deluhery	Lind	Mann	Neighbour
Readinger	Schwengels	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 File 748.

House File 748

On motion of Senator Hutchins, House File 748, a bill for an act relating to the financial requirements of grain dealers, 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. 748) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Brown	Deluhery	Gratias	Hultman
Mann	Neighbour	Readinger	Schwengels
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 File 164.

House File 164

On motion of Senator Colton, House File 164, a bill for an act relating to the payment of commissions to commission salespersons and providing 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. 164) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 4:

Holden	Hultman	Jensen	Readinger
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Absent or not voting, 7:

Deluhery	Mann	Neighbour	Rodgers
Schwengels	Small	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 File 648.

House File 648

On motion of Senator Corning, House File 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education, with report of committee on Education recommending amendment and passage, was taken up for consideration.

Senator Corning asked and received unanimous consent to withdraw amendment S-3738 filed by the committee on Education on April 15, 1985, to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that further action on House File 648 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 702.

House File 702

On motion of Senator Drake, House File 702, a bill for an act including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Colton took the Chair at 9:50 a.m.

Senator Gentleman offered amendment S—3715 filed by the committee on Judiciary on April 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3715 was adopted by a voice vote.

Senator Doyle offered amendment S—3737 filed by him on April 15, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3737 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. 702) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Mann	Neighbour	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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the morning on request of Senator Junkins.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senator Junkins asked and received unanimous consent to take up out of order House File 139.

House File 139

On motion of Senator Small, House File 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Small offered amendment S—3653 filed by the committee on Judiciary on April 8, 1985, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3653 was adopted 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. 139) the vote was:

Ayes, 42:

- | | | | |
|---------|-----------|----------|--------------|
| Boswell | Brown | Bruner | Carr |
| Colton | Corning | Dieleman | Doyle |
| Drake | Gentleman | Gettings | Goodwin |
| Gratias | Gronstal | Hall | Hannon |
| Hester | Holden | Holt | Horn |
| Hultman | Husak | Hutchins | Jensen |
| Junkins | Kinley | Lind | Miller, A.V. |
| Murphy | Nystrom | Priebe | Readinger |
| Rife | Ritsema | Rodgers | Small |

Soorholtz Wells	Taylor Welsh	Tieden	Vande Hoef
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Nays, none.

Absent or not voting, 8:

Coleman Neighbour	Deluhery Palmer	Mann Schwengels	Miller, C.P. Waldstein
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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.

President Anderson took the chair at 10:10 a.m.

Senator Junkins asked and received unanimous consent to take up out of order House File 730.

House File 730

On motion of Senator Dieleman, House File 730, a bill for an act relating to the licensure of dietitians and nutritionists, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3797 filed by him on April 17, 1985, 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—3797 be adopted?" (H.F. 730) the vote was:

Ayes, 16:

Drake	Gentleman	Goodwin	Gronstal
Hall	Hester	Holden	Holt
Jensen	Lind	Readinger	Ritsema
Taylor	Tieden	Vande Hoef	Wells

Nays, 24:

Boswell	Brown	Bruner	Carr
Colton	Corning	Dieleman	Doyle
Gettings	Horn	Husak	Hutchins
Junkins	Kinley	Miller, A.V.	Miller, C.P.

Murphy
Rife

Nystrom
Rodgers

Palmer
Small

Priebe
Welsh

Absent or not voting, 10:

Coleman
Hultman
Soorholtz

Deluhery
Mann
Waldstein

Gratias
Neighbour

Hannon
Schwengels

Amendment S—3797 lost.

Senator Hutchins asked and received unanimous consent that further action on House File 730 be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 244.

House File 244

On motion of Senator Murphy, House File 244, a bill for an act relating to programs relating to substance abuse, with report of committee recommending passage, was taken up for consideration.

Senator Holt took the chair at 10:40 a.m.

Senator Murphy withdrew amendment S—3775 filed by him on April 17, 1985, to pages 4 and 6 of the bill.

Senator Murphy withdrew amendment S—3662 filed by him on April 8, 1985, to page 6 of the bill.

Senator Murphy withdrew amendment S—3771 filed by him on April 16, 1985, to page 10 of the bill.

Senator Murphy moved that the bill be read the last time now and placed upon 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. 244) the vote was:

Ayes, 44:

Boswell
Colton
Drake
Gratias
Hester

Brown
Corning
Gentleman
Gronstal
Holden

Bruner
Dieleman
Gettings
Hall
Holt

Carr
Doyle
Goodwin
Hannon
Horn

Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Deluhery	Hultman	Mann
Neighbour	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 451.

House File 451

On motion of Senator Murphy, House File 451, a bill for an act relating to child protection and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3692 filed by the committee on Human Resources on April 10, 1985, to pages 2 and 13 of the bill and moved its adoption.

Amendment S—3692 was adopted by a voice vote.

Senator Gentleman offered amendment S—3808 filed by her from the floor to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 23.

Amendment S—3808 lost.

Senator Murphy offered amendment S—3811 filed by him from the floor to pages 1, 4, 8 and 13 of the bill.

Senator Gratijs asked and received unanimous consent that further action on **House File 451** and amendment S—3811 be deferred.

BUSINESS PENDING

House File 730

The Senate resumed consideration of House File 730, previously deferred.

Senator Miller of Des Moines offered amendment S—3810 filed by Senators Miller of Des Moines, et al., from the floor to pages 1 through 6 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3810 be adopted?" (H.F. 730) the vote was:

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

Ayes, 22:

Boswell	Colton	Doyle	Goodwin
Gratijs	Hall	Hester	Holt
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Miller, C.P.	Readinger
Rife	Ritsema	Taylor	Tieden
Vande Hoef	Wells		

Nays, 20:

Brown	Bruner	Carr	Corning
Dieleman	Drake	Gentleman	Gettings
Gronstal	Hannon	Holden	Horn
Junkins	Murphy	Palmer	Priebe
Small	Soorholtz	Waldstein	Welsh

Absent or not voting, 8:

Coleman	Deluhery	Kinley	Mann
Neighbour	Nystrom	Rodgers	Schwengels

Amendment S—3810 was adopted.

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. 730) the vote was:

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

Ayes, 26:

Brown	Bruner	Carr	Colton
Corning	Dieleman	Doyle	Drake
Gettings	Gratias	Gronstal	Hannon
Holt	Horn	Hutchins	Jensen
Junkins	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Readinger	Rife	Small
Waldstein	Welsh		

Nays, 12:

Boswell	Gentleman	Goodwin	Hester
Holden	Husak	Lind	Priebe
Ritsema	Soorholtz	Taylor	Vande Hoef

Absent or not voting, 12:

Coleman	Deluhery	Hall	Hultman
Kinley	Mann	Neighbour	Nystrom
Rodgers	Schwengels	Tieden	Wells

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

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 16, 1985, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 103, a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval (S-3821).

Senate File 250, a bill for an act relating to the provisions of statewide library services by the reorganization of the state library of Iowa and the regional library system (S—3820).

Senate File 376, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204 (S—3817).

Senate File 401, a bill for an act relating to the harboring of a runaway child and providing a penalty (S—3816).

TEXT OF GOVERNOR ROBERT D. FULTON'S
APRIL 17, 1985, ADDRESS TO THE PIONEER LAWMAKERS

Thank you, Senator Hill, Governor Anderson, Senator Rodgers, Speaker pro tempore Connors, Senator Coleman and distinguished guests:

It is a pleasure and a privilege to be offered the opportunity to speak to the Pioneer Lawmakers. I only have one problem. I have very little idea of what I intend to say, or how I intend to say it, because a problem of logistics developed.

Some two months ago, I had a phone call from Senator Coleman asking if I would be the speaker and if you've ever been aware of has-beens, if anybody asks to put a microphone in their hands, they say yes and say it very quickly before somebody will change their mind, which I did. I asked that I be advised a couple of weeks ahead of time of the appropriate date, as it had not been set.

I received a call this morning from the lieutenant governor's office on another matter. The secretary said "Could you stop in and talk to the lieutenant governor while you're down in Des Moines?" And I responded with "Why am I going to be in Des Moines today?" This was at 10:30 a.m.! She informed me that it was Pioneer Lawmakers Day. Shortly thereafter, Joe Coleman and I talked and I said, "Joe, I have nothing to say!" And he said, "All your friends will recognize you." I said, "Joe, I don't have time to prepare a speech," and he said, "You always gave your best speeches when they weren't prepared." You notice he didn't say a good speech. He only compared them with my others.

Be that as it may, I'm here. I almost didn't come for one other reason. When Joe indicated I was going to be here, I told him that I would only come on one condition. That this podium be moved outdoors in front of the television cameras so that I could get proper recognition. I was told that would not be accepted and so here I'm doing it like everyone else.

I also would like to pay my tribute to Robert Case referred to earlier, who was a reporter for the Waterloo Courier in my home town. Bob was a good political reporter. He did a great job of understanding the political process. He respected the people in the political process, he respected the legislature and I know you and we in Waterloo will miss him a great deal.

In discussing things with John Connors, I said "John, what did we do back when I first got involved, like my first session in the legislature?" I was trying to think of constitutional amendments and tax bills and very important problems in the state of Iowa that we solved or confused as the case may be. And John, typical to his heritage as a fireman, said, "Well, Bob, you passed the police and firemen's pension." I guess that's how he remembers us and I guess all of us to a degree are that way.

I also want to comment that every so often I see that there is a reference here, the difference between the house and the senate. Well, I can give you a very short difference between the various bodies and the executive branch. And I think I'm quite qualified to speak since I served both in the house and the senate, and for a short period of four years as lieutenant governor, whatever role that is and 14 days as governor. Well, I found out that in the house, they debate the problems and the issues facing the state of Iowa. The senate speaks to each other about the problems and the issues of the state of Iowa, and the chief executive claims both bodies are not doing anything about them. This was true back when I was here and we had two democratic legislatures and a democratic governor, as well as the president.

One other thing I want to comment on if I may, and that is on the introduction of the program where it lists me as a former governor. That's a title I hold, I appreciate and of which I'm proud of, even if it was only for a short period. But today, I want to indicate to you here assembled, that I'm here not even as an ex lieutenant governor, but as an ex member of the Iowa house and senate.

Although very often, disparaging remarks are made about the legislature and its process, when I think about the democratic process, its good people and the roles I've played, I think the most important part are those in the legislative structure, and that's what I remember the most often.

I also want to indicate to you that things really do not change. I noticed last week you passed the tax bill. This law will obviously be remembered as the tax bill of 1985, but I want to let you know that I was lieutenant governor and had something to do with the services tax bill which was passed in 1967. And it appears to me from reading the account of the bill, that one thing happened. And that is that you used the same formula in drafting the services that were used in the past. Let me explain it this way. I find that one of the services that were used earlier were put in this bill also, which would lead me to the conclusion that the same yellow pages were used. But something more revealing about it is that the formula you've used, didn't have lawyers, accountants, or the various professions just like ours didn't some 20 years ago.

It was my privilege to start serving in the legislature in 1958. In reminiscing, you think of the various people, legislators, press, and their insight into the political process. The press is always at some time criticized but they're only there to analyze the political process. But in 1958, the press always chose the most likely to go on into politics and the least likely to succeed. And with their clairvoyance as usual, they picked out a lot of people who were going on into politics and we've never heard of since. Their pick for the least likely to succeed was a fellow that

I started with in this house in 1958. He said "Wel-l-l — golly," in Lil' Abner boots and we now call him Senator Grassley. And it just shows that you don't know where success is in the political process and you don't understand the choices of the people since they'll almost always be different than the choices of the members.

I would also like to spend a little time talking with you about the things that I learned through my political experience and through the legislative process. As I indicated, I started in 1958. I came out in February of that year and opened up my own law office and that's a lonley, lonely thing to do. So in order to have something to do, I went to a Democratic Central Committee meeting. Somebody pinched me, I said ouch and wound up as a candidate for the legislature. That was the only qualification to be a democratic candidate at that time because none had been elected in 30 years. It was a good year for the democrats. I went out and campaigned, said what I had on my mind because I didn't think I had a chance of winning, had a good time and won.

I came down and served in a very responsible session of the Iowa legislature in 1959. In that session, the first thing I learned was that all the partisan gossip that goes on during the election process is not indicative of the corroboration that goes on in these halls for the benefit of the state of Iowa.

I remember in the campaign, I was convinced Clark McNeal, the Republican Majority Leader and Scott Swisher, the Democratic Floor Leader — that Swisher was the good guy and McNeal was the bad guy and they must hate each other. But I got down here and found two responsible politicians, doing their best for the state of Iowa, cooperating when cooperation was called for, competing when competition was called for and making sure that the two never became confused. This taught me that you can differ without being difficult and without being insulting.

I then decided that since I'd come down to learn something in 1958, I would run again in 1960 and this time, of course, I caught the disease of all politicians. I was of the opinion that the legislature, and particularly this house, couldn't operate without me. I ran and, as you might imagine, things weren't quite so favorable in 1960 and I got beat. But the sorry thing about that was during the process I figured it was so important for me to be here, that it was necessary for me to not fully disclose my stand on certain issues. When I lost I had two pains — one, the pain of losing, the other was not saying what I had to say about the problems of Iowa during the election process.

In 1962, the incumbent democratic senator from Black Hawk County ran for lieutenant governor and I ran for the senate. I won that election by about 39 votes out of 35,000. But in the process of that election I learned some things important to the political process and important to anyone in any walk of life.

In that campaign, it was my privilege to run with Harold Hughes who was running for governor the first time. I'll not forget when we were on a television program together, we were taking questions over the air and someone called in a question about the death penalty. I leaned over to Harold and said, "Harold,

maybe you should let me take this one so it won't hurt your chances." Harold looked at me and said, "Bob, I have an opinion on it and the people of Iowa are entitled to know that opinion," and he gave it. I learned that it is better to give your opinion and live with it, than attempting to obtain any honor by less than full honesty.

I got elected in 1962 and served in the senate. We were 12 democrats and 38 republicans. I learned there that you can be an abject minority. At times you would feel picked on, but all the time you were treated with full respect and your views were given a chance to be heard and there was an understanding of the majority to treat the minority with fairness. This, I think, is another thing that can be learned through our time of service.

In 1964, I got elected lieutenant governor and was allowed to serve as the presiding officer of the senate. At that time I had two beautiful floor leaders. A good presiding officer is only as good as his floor leaders; they can make the job difficult or make the job easier. Andy Frommelt, Majority Leader, and Bob Rigler, Minority Leader, did nothing but make my job easy. And the senate would always forgive my mistakes and compliment me for my correct rulings.

I got reelected in 1968, and at that time we had a democratic controlled senate and a republican controlled house and we learned that we could pass legislation even though the bodies were divided and come up with legislation that was the basis for a lot of changes within our governmental process.

These experiences have taught me as I've indicated that it is fun to compete, it is fun to be different, but there is a time to cooperate for the benefit of the purposes for which we get involved in the process. I want to congratulate those of you who are now taking part in that process. I do not envy your responsibilities. Your task is the most difficult that I have seen since I have been aware of state government and its process. The lack of money and the problems that need to be solved are contradictions that are going to take your best efforts and your best cooperation. Based on the Pioneer Lawmakers that I've seen — I'm sorry I don't have time to name them all — and how they've responded in unity to Iowa's problems, I know you will do the same. It doesn't hurt to compete for the best jobs in the political process — that you should do. It doesn't hurt to corroborate for the benefit of Iowa. That, you have been doing.

On behalf of those of us who have served before, we thank you for your service and ask you to have us back again next year when you'll have a speaker more prepared.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:05 p.m., until 1:30 p.m.

APPENDIX**COMMUNICATION FROM THE SECRETARY OF STATE**

April 16, 1985

Ms. K. Marie Thayer
Secretary of the Senate
Senate Chamber
LO C A L

Dear Ms. Thayer:

I hereby certify that House File 41 was published in the Marshalltown Times-Republican, Marshalltown, Iowa, on April 5, 1985, and in The Malvern Leader, Malvern, Iowa, on April 11, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3688 to House File 740 was adopted by the Senate on April 17, 1985.

MICHAEL E. GRONSTAL

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 15, 1985. Had I been present, I would have vote "aye" on House Files 173, 418, 523 and 553.

I was also necessarily absent from the Senate chamber on April 17, 1985. Had I been present, I would have voted "aye" on House Files 494, 526, 569, 682 and 711.

LOWELL L. JUNKINS

MR. PRESIDENT: I was necessarily absent from the Senate at the time of the final vote on House File 748.

Had I been present, I would have voted "aye".

ARTHUR L. GRATIAS

PRESENTATION OF VISITORS

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

Twenty-five fifth grade students from Colo Community School, Colo, Iowa. Senator Bruner.

Forty fifth and sixth grade students from Titonka Elementary School, Titonka, Iowa, accompanied by Cindy Moore and Jeanette Calkins. Senator Priebe.

Twenty senior students from Central Webster School, Burnside, Iowa, accompanied by Jim Ainslie. Senator Coleman.

Eleven eighth grade students from Kanawha Christian School, Kanawha, Iowa, accompanied by Mrs. and Mrs. Marvin Sturing and Mr. and Mrs. Louis Smidt. Senator Taylor.

AMENDMENTS FILED

S—3803	H.F.	451	Charles Bruner
S—3804	H.F.	684	Commerce
S—3805	H.F.	648	Ray Taylor
			C.W. Hutchins
			Arthur Gratias
			Joe Brown
S—3806	H.F.	684	Calvin O. Hultman
S—3807	H.F.	554	Leonard L. Boswell
			Berl E. Priebe
			Donald E. Gettings
			Arne Waldstein
			Richard Vande Hoef
			Jack W. Hester
			John Soorholtz
			Alvin V. Miller
			William D. Palmer
			Lee Holt
			John Neighbour
			Norman Goodwin
			Joe Brown
			Norman G. Rodgers

			John N. Nystrom
			James Wells
			Charles Miller
S—3808	H.F.	451	Julia Gentleman
S—3809	H.F.	552	Joe Brown
			Berl E. Priebe
			William W. Dieleman
S—3810	H.F.	730	Charles P. Miller
			Douglas Ritsema
			Bill Hutchins
			Ray Taylor
			John N. Nystrom
			John W. Jensen
			Tom Mann
			C. Joseph Coleman
			Donald V. Doyle
			Richard Vande Hoef
			Dale L. Tieden
			Alvin V. Miller
			Jack W. Hester
			David M. Readinger
			James D. Wells
			Richard F. Drake
			Norman Goodwin
S—3811	H.F.	451	Larry Murphy
S—3812	S.F.	562	Richard Drake
			Joe Welsh
S—3813	S.F.	565	Joe Brown
S—3814	H.F.	451	Doug Ritsema
S—3815	H.F.	451	Richard Vande Hoef
S—3816	S.F.	401	House amendment
S—3817	S.F.	376	House amendment
S—3818	H.F.	451	Douglas Ritsema
S—3819	H.F.	451	Arthur A. Small, Jr.
S—3820	S.F.	250	House amendment
S—3821	S.F.	103	House amendment
S—3822	H.F.	618	Judiciary

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., President pro tempore Rodgers presiding.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

MOTION TO RECONSIDER WITHDRAWN

House File 652

Senator Gentleman withdrew the motion to reconsider House File 652, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts, filed by her on April 16, 1985, and found on page 1416 of the Senate Journal.

The Senate stood at ease for the purpose of party caucuses until the fall of the gavel.

The Senate resumed session, President pro tempore Rodgers 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 April 15, 1985, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions (S—3841).

ALSO: That the House has on April 16, 1985, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 296, a bill for an act relating to the deposit and investment of public funds (S—3824).

Senate File 398, a bill for an act relating to school reorganization (S—3825).

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 12, 1985)

Senate File 552

The Senate resumed consideration of Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system, deferred on April 12, 1985.

Senator Welsh offered amendment S—3611 filed by Senators Welsh, et al., on April 2, 1985, to page 7 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3611 be adopted?" (S.F. 552) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gronstal	Hall	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Small	Soorholtz
Tieden	Waldstein	Wells	Welsh

Nays, 10:

Corning	Goodwin	Hester	Holden
Jensen	Lind	Murphy	Ritsema
Taylor	Vande Hoef		

Absent or not voting, 4:

Gratias	Hannon	Neighbour	Schwengels
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Amendment S—3611 was adopted.

Senator Miller of Des Moines offered amendment S—3759 filed by Senators Miller of Des Moines and Carr on April 16, 1985, to page 9 of the bill.

Senator Murphy called for a division of amendment S—3759: lines 2 and 3 as division S—3759A; lines 4 through 32 as division S—3759B.

Senator Miller of Des Moines moved the adoption of division S—3759A, which motion prevailed by a voice vote.

Senator Miller of Des Moines moved the adoption of division S—3759B.

A non record roll call was requested.

The ayes were 12, nays 30.

Division S—3759B lost.

Senator Hultman offered amendment S—3833 filed by Senators Hultman and Welsh from the floor to page 10 of the bill and moved its adoption.

Amendment S—3833 was adopted by a voice vote.

Senator Miller of Des Moines offered amendment S—3602 filed by Senators Miller of Des Moines, et al., on April 2, 1985, to page 13 of the bill and moved its adoption.

Amendment S—3602 was adopted by a voice vote.

Senator Welsh offered amendment S—3835 filed by Senators Welsh and Miller of Des Moines from the floor to page 14 of the bill and moved its adoption.

Amendment S—3835 was adopted by a voice vote.

With the adoption of amendment S—3835, the Chair ruled amendment S—3725 filed by Senator Hultman on April 12, 1985, to page 14 of the bill, out of order.

Senator Hultman offered amendment S—3846 filed by him from the floor to page 10 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 26.

Amendment S—3846 lost.

Senator Welsh asked and received unanimous consent that further action on **Senate File 552 be deferred.**

UNFINISHED BUSINESS (Deferred April 12, 1985)

Senate File 434

The Senate resumed consideration of Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, deferred on April 12, 1985.

Senator Dieleman offered amendment S—3584 filed by the committee on Appropriations on April 1, 1985, to pages 3, 4 and 8 of the bill.

Senator Welsh called for a division of amendment S—3584: lines 2 through 11 as division S—3584A; lines 12 through 27 as division S—3584B.

Senator Welsh asked and received unanimous consent that division S—3584B be withdrawn.

Senator Dieleman moved the adoption of division S—3584A.

A non record roll call was requested.

The ayes were 34, nays 13.

Division S—3584A was adopted.

The Chair ruled amendment S—3647 filed by Senators Gentleman and Tieden on April 4, 1985, to division S—3584B, out of order.

Senator Welsh offered amendment S—3843 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3843 was adopted by a voice vote.

Senator Welsh withdrew amendment S—3829 filed by him from the floor to page 1 of the bill.

Senator Ritsema offered amendment S—3690 filed by him on April 10, 1985, to pages 2, 3 and 8 of the bill.

Senator Dieleman asked unanimous consent that further action on amendment S—3690 be deferred.

Senator Dieleman withdrew his request.

Senator Coleman took the chair at 4:07 p.m.

Senator Ritsema moved the adoption of amendment S—3690.

A non record roll call was requested.

The ayes were 12, nays 31.

Amendment S—3690 lost.

Senator Welsh offered amendment S—3828 filed by Senators Welsh and Miller of Des Moines from the floor to page 8 of the bill.

Senator Hultman offered amendment S—3850 filed by him from the floor to amendment S—3828 and moved its adoption.

Amendment S—3850 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—3828, as amended, which motion prevailed by a voice vote.

Senator Dieleman withdrew amendment S—3720 filed by him on April 12, 1985, to page 6 of the bill.

Senator Welsh offered amendment S—3830 filed by him from the floor to page 8 of the bill.

Senator Ritsema raised the point of order that amendment S—3830 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3830 in order.

Senator Welsh moved the adoption of amendment S—3830, which motion prevailed by a voice vote.

With the adoption of amendment S—3828 as amended, the Chair ruled amendment S—3724 filed by Senator Hultman on April 12, 1985, to page 9 of the bill, out of order.

Senator Welsh offered amendment S—3842 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—3842 was adopted by a voice vote.

Senator Tieden asked and received unanimous consent to withdraw amendment S—3618 filed by Senator Schwengels on April 3, 1985, to page 1 of the bill.

Senator Welsh offered amendment S—3831 filed by him from the floor to page 8 of the bill.

Senator Ritsema raised the point of order that with the adoption of amendment S—3828 as amended, amendment S—3831 was out of order.

Senator Ritsema withdrew his point of order.

Senator Welsh moved the adoption of amendment S—3831, which motion prevailed by a voice vote.

President Anderson took the chair at 4:48 p.m.

Senator Junkins offered amendment S—3853 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—3853 was adopted by a voice vote.

Senator Tieden offered amendment S—3856 filed by him from the floor to page 1 of the bill.

Senator Junkins raised the point of order that amendment S—3856 was not germane to the bill.

Senator Junkins withdrew his point of order.

Senator Tieden moved the adoption of amendment S—3856, which motion prevailed 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?" (S.F. 434) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Neighbour	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 House File 730 and Senate File 434 be immediately messaged to the House.

BUSINESS PENDING

Senate File 552

The Senate resumed consideration of Senate File 552, previously deferred.

Senator Mann offered amendment S—3857 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3857 was adopted by a voice vote.

Senator Junkins offered amendment S—3852 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—3852 was adopted by a voice vote.

Senator Ritsema asked unanimous consent that further action on Senate File 552 be deferred.

Senator Ritsema withdrew his request.

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. 552) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Mann
Miller, A. V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Kinley
Schwengels

Lind

Neighbour

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 that Senate File 552 be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred April 12, 1985)

Senate File 562

The Senate resumed consideration of Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation, deferred on April 12, 1985.

Senator Ritsema offered amendment S—3844 filed by him from the floor to pages 2, 3, 4 and 6 of the bill.

Senator Vande Hoef called for a division of amendment S—3844: lines 2 through 4 as division S—3844A and line 5 as division S—3844B.

Senator Ritsema moved the adoption of division S—3844A.

A non record roll call was requested.

The ayes were 16, nays 28.

Division S—3844A lost.

Senator Ritsema moved the adoption of division S—3844B.

A record roll call was requested.

On the question "Shall division S—3844B be adopted?" (S.F. 562) the vote was:

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

Ayes, 10:

Corning	Gentleman	Holden	Kinley
Mann	Palmer	Readinger	Ritsema
Small	Waldstein		

Nays, 36:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Miller, A.V.	Miller, C.P.	Murphy	Priebe
Rife	Rodgers	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Absent or not voting, 4:

Lind	Neighbour	Nystrom	Schwengels
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Division S—3844B lost.

Senator Welsh offered amendment S—3826 filed by him from the floor to page 3 of the bill.

Senator Welsh asked and received unanimous consent that further action on amendment S—3826 be deferred.

Senator Gettings offered amendment S—3786 filed by him on April 17, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3786 was adopted by a voice vote.

Senator Holden offered amendment S—3705 filed by him on April 11, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3705 was adopted by a voice vote.

Senator Small offered amendment S—3752 filed by him on April 15, 1985, to page 5 of the bill and moved its adoption.

Amendment S—3752 was adopted by a voice vote.

Senator Holden offered amendment S—3704 filed by Senators Holden, et al., on April 11, 1985, to page 7 of the bill.

Senator Gettings offered amendment S—3785 filed by him on April 17, 1985, to amendment S—3704 and moved its adoption.

Amendment S—3785 was adopted by a voice vote.

With the adoption of amendment S—3785 to amendment S—3704, the Chair ruled amendment S—3718 filed by Senator Lind on April 12, 1985, to amendment S—3704, out of order.

(Senate File 562, amendment S—3704 as amended and amendment S—3826, pending on adjournment).

APPENDIX

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 684, a bill for an act relating to the economy of the state by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by increasing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, by changing the name of the Iowa housing finance authority, by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes, by requiring that real estate brokers' trust accounts be deposited in interest-bearing accounts and the interest transferred quarterly to the treasurer of state and used by the Iowa housing finance authority to pay commitment costs for programs for first time home buyers, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property, creating a commitment costs fund, creating a title guaranty fund, increasing the real estate transfer tax, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for certain investment powers of state-chartered savings and loan associations and savings banks, by revising the requirements of amendments to a uniform commercial code financing statement, by providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods of lienholders under the procedure, permitting the charging of fees incurred under the title guaranty program, requiring the disclosure of the availability of the title guaranty program and making penalties applicable, providing for an effective date, and providing for the repeal of portions of the Act.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3804.

Final Vote: Ayes, 9: Kinley, Gronstal, Holden, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 618, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3822.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Pursuant to unanimous consent received by Senator Hultman on April 15, 1985, on Senate Journal page 1358, House File 618 and companion Senate File 474 were placed on the Unfinished Business Calendar.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 244 passed the Senate on April 18, 1985.

LOWELL L. JUNKINS

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Anthon, Iowa, for "Old Settlers' Day" June 29 and 30, 1985 — Preparation for Anthon's 1988 Centennial. Senator Doyle (April 17, 1985).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 17, 1985, 4:10 p.m.

Members Present: Kinley, Chair; Holden, Ranking Member; Gronstal, Hutchins, Jensen, Nystrom, Palmer, Priebe and Tieden.

Members Absent: Deluhery, Vice Chair (excused).

Committee Business: Reported House File 684 as amended to the Senate calendar.

Adjourned: 4:30 p.m.

JUDICIARY

Convened: April 17, 1985, 3:55 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Deluhery (excused).

Committee Business: Reported House File 618 as amended to the Senate calendar.

Adjourned: 4:10 p.m.

PRESENTATION OF VISITORS

Senator Hall presented Jeff Moe of Indianapolis, Indiana, and Bart Casey of Iowa City, Iowa, freshman members of the 1984-85 Iowa Hawkeye basketball team, who were present in the Senate chamber.

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

Fifty fifth grade students from Hanawalt Elementary School, Des Moines, Iowa, accompanied by Mrs. Renaud and Mrs. Cronin. Senator Gentleman.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ashton McCrary, Lake City, Iowa.

AMENDMENTS FILED

S—3823	H.F.	495	Tom Mann, Jr.
S—3824	S.F.	296	House amendment
S—3825	S.F.	398	House amendment
S—3826	S.F.	562	Joe Welsh
S—3827	H.F.	451	Thomas A. Lind
S—3828	S.F.	434	Joe Welsh Charles P. Miller
S—3829	S.F.	434	Joe Welsh
S—3830	S.F.	434	Joe Welsh
S—3831	S.F.	434	Joe Welsh
S—3832	H.F.	476	Joe Welsh Emil Husak

S—3833	S. F.	552	Calvin O. Hultman Joe Welsh
S—3834	H. F.	571	Joe Welsh Milo Colton
S—3835	S. F.	552	Joe Welsh Charles P. Miller
S—3836	S. F.	562	Joe Welsh Don Gettings
S—3837	S. F.	562	Berl E. Priebe
S—3838	H. F.	684	C. Joseph Coleman
S—3839	S. C. R.	40	Charles Bruner
S—3840	H. F.	451	Thomas A. Lind
S—3841	S. F.	244	House amendment
S—3842	S. F.	434	Joe Welsh
S—3843	S. F.	434	Joe Welsh
S—3844	S. F.	562	Douglas Ritsema
S—3845	H. F.	451	Larry Murphy Beverly A. Hannon
S—3846	S. F.	552	Calvin O. Hultman
S—3847	S. F.	562	Richard F. Drake Joe J. Welsh
S—3848	H. F.	451	Arthur L. Gratias Larry Murphy
S—3849	H. F.	684	Tom Mann, Jr.
S—3850	S. F.	434	Calvin O. Hultman
S—3851	H. F.	571	Lowell L. Junkins
S—3852	S. F.	552	Lowell L. Junkins
S—3853	S. F.	434	Lowell L. Junkins
S—3854	H. F.	476	Lowell L. Junkins
S—3855	S. F.	562	Lowell L. Junkins
S—3856	S. F.	434	Dale L. Tieden
S—3857	S. F.	552	Tom Mann, Jr.
S—3858	S. F.	562	Doug Ritsema
S—3859	H. F.	701	Ray Taylor
S—3860	H. F.	740	Michael E. Gronstal
S—3861	H. F.	495	Wally Horn

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:51 p.m., until 9:00 a.m., Friday, April 19, 1985.